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THE ORIGIN AND GROWTH OF THE MORAL INSTINCT

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OF THE

MORAL INSTINCT

BY

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THE ORIGIN AND GROWTH OF THE MORAL INSTINCT.

CHAPTER XIV.

SYMPATHY AS A NATURAL MORALITY.

The Elimination of Unsympathetic Types Causes Nerve Development.

I had prepared an elaborate chapter relating the history of slavery among mankind, and showing how it begins to arise as an institution at the level of the highest savages, how it expands and reaches its most miserable phases at the highest barbarian level; how it still expands at the level of the lower civilisation, but loses much of its atrocity; how it then begins to die away, not as the result of teaching or any extraneous influence, but purely as the consequence of elimination, man as seen in a cultured community having a more sympathetic nerve reaction than man on the barbarian level. Then I had prepared a chapter on the history of religious animosity, showing that, in spite of the efforts of creeds and systems, men of all faiths have grown more tolerant. Religions generally teach a doctrine of brotherliness and mutual help within the circle of the faith, but of condemnation, abhorrence, or even of extirpation beyond it. Yet, by a steady expansion of the sympathetic tendencies, a tolerant feeling in the course of long ages spreads and embraces in an ever-widening area men of other faiths. Such a history shows emphatically how very large a proportion of this change has belonged to the last century or two.

I had also written a chapter describing the mitigation of criminal treatment, showing how radically different must have been the nervous organisation of the crowds of former days who gathered in eager zeal to watch the torture of men and women, from that of a cultured lady or gentleman of our own

time, who would shrink with horror from the thought of witnessing a scene so agonising, and would give a fortune rather than be compelled to take any part in what our ancestors undoubtedly enjoyed.

I have omitted these three chapters in order to keep this book within reasonable bounds, but if admitted they would have emphasised the truth already shown, that a huge expanse of sympathy has by natural means taken place between the savage and the cultured conditions of mankind. However, it has been amply shown that those preservative emotions which in the fish are purely parental and by no means strong, which in bird and mammal have been seen to grow both conjugal and social, and of intenser type, have continued their progress and quickened it throughout all grades of mankind, and that they are even now in full process of development. The result has been a distinct alteration in the nerve constitution of men; not an alteration to be seen perhaps for many a long century under the microscope of the histologist, but visible, plainly visible, in its effects. The society lady of ancient Rome could drive out in her chariot with eager expectation of a day's enjoyment in seeing the blood of gladiators flow, and their bodies stiffen in convulsive death upon the sands, or in beholding the limbs of women crunched by the jaws of wild beasts.

Ask the average lady of our own times to witness such a scene; take her to view a prisoner flogged or a bullock slaughtered, and the physical revulsion, ending perhaps in a deadly faint, will assert a manifest change in nerve conditions. Multitudes of all ranks used to hasten out in mediæval Spain and Portugal to see the heretic lowered into a bonfire, from which, lest he should be too soon broiled, he was hoisted out again by means of pulleys. Roars of laughter went up from the crowd at the contortions of the agonised victim. Now-a-days there are thousands of men unable to follow their choice of the surgeon's profession by reason of a physical incapacity to look on blood and wounds without horror. I have seen a strong young man faint when asked to give assistance in reducing a dislocated shoulder. In England, three centuries ago, bear-baiting, cock-fighting, and many kinds of sport involving cruelty, were greatly enjoyed. That

these have died out is due to the general decline of feelings for which strife and bloodshed were a pastime. Most people of our times would willingly give money to avoid such sights, and I dare say that at least three men out of ten would gladly walk five miles rather than have to witness the cutting of a pig's throat, though, on the other hand, we have to confess that pigeon-shooting and such delights indicate the room that still exists for development.

And these are instinctive nerve effects utterly beyond the control of our intellect. When the human corpse is stretched upon the table of the dissecting room, reason reminds us that it is dead, and feels no cut of knife; yet does an involuntary shudder run through our frames; it is impossible without long practice to carve a human subject with as little emotion as one might a log of wood. Very many people seem unable to conquer the horror of it. I remember seeing five young ladies, medical students, in a class that surrounded a *post-mortem* examination. They had been dissecting for three years, yet at this new ordeal became deathly pale, and one had a livid green colour so utterly different from her fresh complexion ere she entered, as to indicate how immensely the gruesome sight of extracting a man's brain had affected all the nerve conditions within her system.

The mother who takes her child to the dentist knows that one wrench will put an end to a week of painful toothache; yet this does not prevent her hands from trembling and her knees from shaking as she enters the operating room. The husband may feel sure that a few cuts of the surgeon's knife will remove the cancer which threatens the existence of his wife, that it will bring her immunity from suffering and continuance of the joys of home and of life. Yet not one man in twenty could endure to look upon the knife as it entered the flesh of her he loved.

But he who is incapable of witnessing such a sight, would, almost necessarily, be incapable of himself wounding or murdering his wife. And indeed, all forms of sympathy, as I shall show in the final chapters, are merely the subjective presentment in our minds of instinctive, or rather reflex, activities of our nervous organisation.

It is, I am convinced, an actual systemic change which has been the cause of the great development of sympathy in the past. A man fairly typical of the modern standard of sympathy would rather have a hand cut off than that any person should be killed by his fault. One of our ancestors of 1000 years ago would without compunction have slaughtered thirty persons to save his own hand. If we analyse the motives, we find that they are in no way concerned with justice or righteousness, what we have been told by others or what we have reasoned out for ourselves. Our reluctance to cause the death of another is based on certain instinctive aversions, which were much less developed among our ancestors. The Roman emperor, Valentinian, had two bears whose cage was always kept near his bedroom, so that without trouble he could daily see them devour the limbs of the men who had just been executed, thus losing before his meals nothing of an excellent and appetising spectacle. (Gibbon, chap. xxv.) Can we conceive that a modern emperor of Germany would feel anything but deep loathing and disgust in such a scene? Yet fully half of the Roman emperors found more or less pleasure in the sight of mutilation and death. So greatly has the nerve susceptibility of the race been altered in the interval!

If we seek for the reason, it is fairly plain. At all epochs of the biologic struggle, the process of natural selection has seized upon one or two qualities as the cardinal points upon which preservation is to hinge. For a long time either speed, or strength and courage, or else adventitious tricks of colour, of defensive armour or of offensive weapon, decided which was to be the emergent type. Then came the stage at which intelligence was dominant; and still among all men it is of great though not now of supreme importance. A good brain always wins the day in the long run against strong muscles, and yet there is something still more potent—a good heart; whereby is meant that collection of sympathetic qualities popularly summed up in this term. The clever, but heartless fellow, has a less chance of ultimate success and eventual representation in posterity than one less clever but better equipped with those qualities which win friends, gain a

wife's devotion and foster a family's happy affection. So, too, with nations. If the prevailing type be crafty but selfish, the strength of a people will dissolve in distrust and disunion. Simpler folks, welded by ardent patriotism, secured within by the prevalence of a sincere and unaffected friendliness, and pursuing their honest paths in multitudes of homes that are full of family devotion, will have better prospect of ultimately prevailing.

It may seem fantastic to assert that within historic times actual physiological differences of nerve structure can have been developed in the race. Yet it is a sober fact, though demonstrable as yet by only indirect proofs. For we have seen that the man who is a good father, a good husband and a good citizen is the ancestor of many progeny, while the Napoleonic type of abundant brains but deficient sympathies, even though it make a brilliant career, perishes in a century or less from off the face of the earth. Let us form some idea of the rate at which this process may go forward. Each person now living had two parents, four grandparents, eight great-grandparents and so on; thus ten generations back his ancestors formed a living regiment of 1024 persons. If there had been any intermarrying of relatives in the interval the number, of course, must be reduced. Make a small allowance, and assume that on an average each Englishman of the present day had 1000 ancestors of the tenth degree all living in the time of Queen Elizabeth. Or rather let us assume that there were then born 500 boys and 500 girls who might have been the ancestors of the now living individual, but that a portion of these were weeded out; some of them dying through want of sufficient parental care; others as they grew up dying through their own failure of sympathetic quality. One might have turned out a murderer and been hanged, another a robber and been shipped to the plantations. One might have been killed by his own youthful immoralities, another refused a wife because of his disorderly life. In short, it is no exaggeration to say that out of 1000 possible ancestors, fifty would, on an average, be eliminated through the failure of parental, conjugal or social qualities. Indeed, in Elizabeth's

time, out of every 1000 persons born five were actually hanged, as a matter of recorded statistics. But brawls, venereal diseases, and so forth were far more potent cleansers of society. Those thus eliminated would be replaced by men and women of better stock, and so we may feel sure that at each generation a steady 5 per cent. of the poorer type was withdrawn, leaving room for the expansion of those richer in sympathetic qualities. But the power of such a steady withdrawal, acting in cumulative fashion, is enormous when spread over a sufficient time; even 300 years are quite enough to produce visible effects; indeed, if we had a means of sifting the people of Queen Elizabeth's time into two equal sets, those who could pass in those days for fairly good men and women, and those who were more or less distinctly below the average of moral conduct, it would be found that practically none of the inferior blood flows in the veins of the present generation; we being bred almost wholly from the better stock.

All this implies that nerve organisms of finer susceptibilities survive, and it follows, therefore, that we are of distinctly different nerve reactions from those ancestors of ours who, 1500 years ago, regarded the Leges Barbarorum as suitable codes of justice. And the change becomes very rapid in such a land as the England of the last three centuries, with its internal development so little troubled by war, and its external conflicts serving only as a vent for restless spirits away from home. Within the community the preservative value of courage and strength has been declining, while that of intelligence and sympathy has been ever on the increase. In no other way can we account for that enormous acceleration in the growth of sympathy during these later times, so abundantly shown in the chapters which have, or were to have, preceded.

The Sympathy thus Developed is a Moral Instinct.

But the sympathy which has thus been developed is practical morality in its natural and simple aspect. I am far from asserting that it forms the whole of our moral instinct, for there are other later and more derivative constituents yet to be

considered. But I shall prove in this chapter that by itself sympathy is able to supply a very satisfactory and often quite sufficient morality; while in the following three chapters I shall show that the other constituents of a more complex morality are all derivatives of sympathy. In ethical progress we may distinguish these stages—

1. *The Elemental or Natural*—(*a*) morality of direct sympathy.

2. *The Complex or Derivative*—(*b*) morality of duty; (*c*) morality of self-respect; (*d*) morality of ideal beauty.

I propose in this chapter to show how the first of these is fundamental to all morality; and in the following chapters to indicate how the three last forms are in truth derived from the first, yet how they add to its operation a steadiness and permanence not otherwise attainable.

The sense of duty often makes by itself a passable sort of morality, but wanting in sympathy it is apt to be stiff and formal. In every relation of life we feel the coldness and emptiness of such a morality. The man who brings up his children carefully, not at all because he loves them, but because it is his duty so to do, fails lamentably as a father. He spends his money and his time as he thinks they ought to be spent. But all that money, all that time can effect will never make up for the want of love; while the man who by the spontaneous play of affection can render the young folks happy, and who cares for their welfare without feeling the task so much a duty as a pure delight, is by far the more efficient parent. So, too, a cold husband may do his duty with even a painful punctiliousness. Every thing that he ought to provide may be provided; he may leave his wife not the least reasonable excuse for complaint, and yet be a failure. His wife would exchange all that duty for just a little warm affection, would give up some of his immaculateness for a little genuine feeling. If the love be true, all kindliness and consequent happiness will flow therefrom; love kindles love, and the most beautiful relationships of life spring up without so much as a thought of obligation. Indeed the duty of doing right is lost in the pleasure of doing right. Where no love exists, a sense of duty is far better than nothing at all, but

the morality to which it gives rise is a dull cold thing, in comparison with that which springs from affection.

So, too, in our social relations, duty makes a substitute, but only an indifferent substitute, for kindly sympathies. The man who does what he ought to do, though actuated by no feeling of gladness in giving happiness, no sense of compassion for the sorrows of others, may indeed make a good enough citizen. But if he reluctantly help another out of a ditch because it is his duty to do so, instead of cheerfully giving a hand because eager to help, the quality of the resultant morality is very inferior. The man who is incapable of a warm friendship, or a noble enthusiasm of patriotism or the glow of benevolence, is in so far of a poorer type. Though upright, he is frigid; though courteous, he is stiff. We all think him a good man, but our hearts never gladden at his approach. Whereas the man whose life finds the spring of its goodness in an active sympathy brings happiness wherever he goes, and his morality is contagious. It is this charm of goodness founded on sympathy that has given to the figure of Jesus through long ages, and to that of Buddha through still longer, their power over the souls of men. Myriads have felt their hearts melt within them under the contemplation of these models of compassionate sweetness; and the morality which they taught, founded mainly on love, with duty only in the second place, has far outstripped that of duty, which was the main feature of the antecedent Judaism and Brahminism.

So, too, we shall see that self-respect, though a most useful ally of sympathy in securing the highest type of morality, makes but an indifferent substitute for it. The man who has too much respect for himself ever to do what is base is probably a good man. But if that is all, he is certain to be self-centred and to fail in active goodness.

Finally, the morality of ideal beauty which fixes its gaze on the abstract loveliness of what is pure and right, noble as it may be when an ally, becomes a poor substitute for active sympathy. It may send its devotees into the wilderness to live the lives of lonely meditation and exaltation; it may give us the type of the cloistered nun, the enthusiast of

philosophy, of science, or of art, those who withdraw themselves from active participation in life to shut themselves up in the contemplation of the ideal, yet better far when these things co-exist with a nature which feels that nothing human can be outside the range of its sympathies.

It must not be supposed, however, that any opposition is here intended between these various qualities. All that is implied is only the more natural and fundamental nature of sympathy as the essential feature in morality, which, though it may exist without the kindly emotions, is always more or less incomplete for the want.

On the other hand, an efficient degree of sympathy will, and among the mass of men actually does, provide an adequate morality without any great admixture of the other qualities. Indeed self-respect and the love of ideal beauty in conduct are to be found in only a small proportion, and that the most highly developed, of mankind. A sense of duty is very much more widely extended, being sure to grow up, as we shall see in the next chapter, whenever the sympathetic impulses have been long in operation. It fixes and stereotypes what sympathy by itself leaves too mobile and variable, and it is found as a constituent of morality in every community. Yet it is safe to assert that, even without it, sympathy alone can produce a high standard of morality, though not the very highest.

He cannot be a very bad man who is kind and considerate to all around him. If he is accustomed to sacrifice his own comfort from a natural wish to promote the happiness of others, we are entitled to call him a good man. The Moslems have long had a proverb (E. W. Lane, *Arabian Society*, p. 192) that on the day of judgment the first who will lay hold of a man will be his wife and children. And truly the foundation of all morality is domestic; for even now, parental and conjugal sympathies, as they were the first to appear, so are they still the most fundamental. When a man has run his mortal race, if, for his epitaph, we may truly write that he was an affectionate son, a kind husband, and a tender father, we imply a character of fundamental goodness from which other moral qualities may be inferred. If we can add that he was

a true friend and a devoted citizen, in that collocation of parental, conjugal, and social sympathies we describe the full measure of ordinary practical morality. This will be a happy world of ours when so much can be truly said of each and all.

Morality not a Thing Exclusively Human.

It may be objected to this view that it extends the application of the term morality beyond the limits to which it is generally confined. For if this be morality, then there is much that is moral in the humblest human community; there is not a little that is moral in the conduct of many of the lower animals. But indeed there is no reason why a spirit of exclusiveness should reserve to civilised societies the praise of qualities which have their roots far down in humbler forms of existence. Among ourselves the credit of right conduct is freely and warmly allowed to the mother who works for her children, who denies herself many an innocent pleasure in order that she may feed and clothe and properly train her little family. Shall we deny the same applause to the savage mother who carries her babe on her weary shoulders through many a parching journey, who will risk her life for it, and toil till she is ready to drop rather than that it should suffer from hunger or danger? What though she act but in obedience to an instinct? So in the main does the civilised mother, who, if not working out a happy instinct of her nature, if actuated by no joyous enthusiasm of maternity, but only doing her duty as a hired day labourer, will but indifferently fulfil her function of motherhood. Yet if the savage mother is to be credited with moral feeling when she lavishes a self-sacrificing love and care upon her child, why not the mother monkey, which, with her young one clasped close in her arms, flies over the tree tops, embarrassed in her flight, while danger presses near, yet thinking only of her tender offspring? Why not the wounded ape, which, in so many well-authenticated cases, has used her last strength to place the little one safe among the foliage, and then has turned round to face the hunters and the death they brought? Why should

the maternal care of the bird which so sedulously feeds and guards its fledgelings be denied the praise of being moral? And why, when we see a mother desert her little brood, do we feel ourselves entitled to denounce her cruelty in leaving the helpless to perish while she departs to disport herself with another mate? It is only human pride which has made an arbitrary distinction of kind where there is in truth only a distinction of degree.

And so of the social virtues. When we read of a digger upon a rough goldfield who neglects his chance of the lucky patch just reached, in order that he may nurse the slow hours of his dying mate, his conduct affects us by its noble disinterestedness. When a dog, healthy and naturally of high spirits, abandons the fresh delights of the open air and all the sports it offers, and creeps into the kennel beside his feeble mate to lick its sores and yield it the comfort of loving comradeship, wherein lies any essential difference?

Herbert Spencer has, in his treatise on *Ethics* (part iv.), insisted with force, but without exaggeration, on the essentially moral nature of much of the conduct to be readily observed in the lower animals, and in Appendix D to that volume he gives an entertaining contrast of the moral character of two dogs and of a pony.

It is not difficult to find abundance of fairly well established anecdotes of moral feeling on the part of elephants and of monkeys; but naturally such instances are to be found most abundantly in the case of dogs, seeing that they have so long and so closely been under the observation of men. In Jesse's *Anecdotes of Dogs* there are scores of instances that speak most plainly of a moral sense; for scarcely otherwise can we designate the instinct which bids a dog plunge in among a crowd of others to defend from brutal attack a poor cur he had never seen before; or that which impels one unhesitatingly to dash into a swollen stream to rescue another that was in danger of drowning; or that which actuates a dog when he brings a share of his dinner daily to another that has been tied up and left to starve. In this well-known collection I count twenty-seven incidents which seem to me fairly well authenticated, and at

the same time indicative of moral feeling. These will be found in Bohn's edition at pages 18, 43, 46, 47, 48, 55, 65, 136, 137, 151, 152, 162, 167, 173, 191, 199, 201, 205, 282, 304, 307, 317, 319, 386, 424, 465, 480.

Of course morality among dogs as among men implies immorality; they have their murderers, thieves and liars. I had a collie dog to which a Newfoundland of the neighbourhood took a most inveterate dislike. The bigger dog was resolutely bent on destroying the smaller, and several times was close on satisfying his hatred; at last having caught the collie in the water he deliberately held the poor creature down till drowned. Instances of murderous propensities are only too common, and thievishness is well known among inferior dog natures. Lying is also often enough a vice of dogs. Jesse relates how a terrier named Peter used to accompany its master on long rides from which it would return very tired. Resolved on going no more, whenever it heard itself called and saw what was intended, it made a pretence of being extremely lame, and the more its master insisted upon its going the lamer it became. This was a lying trick very frequently played. (*Anecdotes*, p. 262.) In Darwin's *Life and Letters* (i., 114) there is an account of a dog which, when it wished to waken pity and be granted tit-bits, would assume an appearance of extreme misery.

It must be granted that there is no more perfection in the morals of dogs than in those of men; but a dog of a fine sympathetic nature may be relied on to injure his fellow-dogs, or man his master, by no murdering or thieving or deception. Such a dog is abundantly capable of gratitude, and sometimes shows it in singularly touching ways. But what is much more strongly indicative of a moral sense is that such dogs are highly capable of remorse, that painful feeling which arises when memory pictures a bygone cruelty and arraigns it before the tribunal of an active sympathy. I remember in my father's house a big, good-natured but clumsy dog, which never showed the least sign of testiness except when a certain little kitten came at his dinner-time to help herself out of his plate. Though he liked the little thing, yet at such times he used to snap at her without hurting her,

generally however showing afterwards what we in the family thought to be regret at his ungenerous conduct. On one occasion when all were away from home for a day, we found on our return the kitten lying dead by the scarcely touched plate of the dog. A snap had sent his tooth right through the little thing's skull. The dog was nowhere to be found, and it was only late in the evening that he was discovered crouching among the coal under a shed. This animal had never been beaten and rarely scolded, yet he spent the following day in abject misery, repenting literally in dust and ashes. Perhaps a few words of disapprobation were expressed to him. I cannot now remember. But at least he received no beating and feared none. His contrition was spontaneous.

In the humblest stages of human society, morality rises no higher than this simple and natural play of sympathetic feeling. Kindness to children, wife, or neighbour, and so much of truth and honesty as a goodwill towards the members of the tribe will dictate, form the sum total of morals. But in the daily life of a community, men who are themselves courteous and kind will expect a reasonable measure of courtesy and kindness in return. The man who loves his wife and pleases her, most naturally expects to be loved and pleased by her. So soon then as sympathy begins to be expected, so soon as a certain standard of it is set up by the community in accordance with its average development in the community, there is a natural growth of the sense of duty. In a tribe wherein most of the parents are good to their children, he who is cruel or neglectful will suffer in general esteem; or further still, if his behaviour outrages the sympathetic feelings of the others, he may be so far ostracised, or so far become the object of general ill-will, that a line of conduct to which he is not naturally disposed may be thrust upon him from without. Hence the sense of duty in its humblest form arises, its contents determined by the general standard of sympathy, as I shall describe in the next chapter, but its strength and sanction determined by that sense of responsibility to be dealt with in chapter xviii. and culminating in that slow growth of law which I shall analyse in the three subsequent chapters.

The Fundamental Principle in Great Moral Systems.

The sense of duty is primarily only an ally or assistant of sympathy in determining right conduct. And yet there often comes a time when it usurps a paramount place, generally to the detriment of morality. For the man who does his duty may be a self-satisfied stickler for dry forms of law, a Pharisee, a Brahmin, a broad-cloth Philistine in whom is no trace of a sweeter and truer morality. Hence it is that the work of great moral reformers often consists in awaking men from a slavish worship of duty, which after all is only a secondary principle, and kindling in their hearts the warmth of that sympathy which is the earliest as it is still the safest guide.

Buddha's five great prohibitions are: 1. Not to take the life of any sentient creature. 2. Not to defraud or oppress any one. 3. Not to seduce a woman. 4. Not to lie, nor equivocate, nor use abusive language. 5. Not to intoxicate one's self. The first four of these are clearly dictates of sympathy. The fifth in prohibiting drunkenness is in some ways dependent on sympathy, in others it is concerned more with self-respect, which will subsequently be shown to be a derivative from sympathy.

In the summary of Buddha's teaching, as given by Bishop Bigandet, in which, as we are there told, "he has within a narrow compass condensed almost all moral virtues," sympathy is the fundamental note. "Let every one minister to the wants of his father and mother; provide all the necessaries for his wife and children; bestow alms; assist his relatives and friends; let him bear respect to all men; be ever humble; be easily contented; gratefully acknowledge favours; be patient, and abstain from intoxicating drink." The last of these instructions is not necessarily moral at all; the rest are moral and all purely sympathetic. (*Legend of Buddha*, i., 123.) "Overcome anger," says Buddha, "by not being angered; overcome evil by good; overcome avarice by liberality; overcome falsehood by truth." (Udanavarga, xx., 18.) Barth speaks of the Buddha as "that finished model of calm and sweet majesty, of infinite tenderness for all that breathes, and compassion for

all that suffers. To imitate him was a higher law than that contained in rules and precepts." (*The Religions of India*, p. 118.)

So, too, the imitation of the loving and compassionate nature of Jesus is the highest morality in the ethics of Europe; and the Apostle Paul expressly says that "Love is the fulfilling of the law". (Romans xiii. 10.) Without notable exception, save that of Kant, the moral philosophers of modern times have found in a right sympathy the true basis of moral feeling. Adam Smith devotes one of his two great books to the thesis. In his *Theory of Moral Sentiments*, a work which, if its author had partaken of the evolutionary knowledge and spirit absorbed so freely by this age from the genius of Darwin, Spencer, Wallace and Haeckel, might have been the most conspicuous landmark in all the history of moral philosophy, he contends that sympathy is the basis of right conduct. He tells us (Bohn's edition, p. 27), that "to restrain our selfish, and to indulge our benevolent affections, constitutes the perfection of human nature"; and again (p. 214), "The man of the most perfect virtue is he who joins to the most perfect command of his own original and selfish feelings, the most exquisite sensibility to the feelings of others". Nay further, he shows (part vii.) by analysis of all the moral philosophies which had preceded him, that, however complicated and obscure the various systems might be, sympathy, in the opinion of all, is the foundation of right conduct.

Hume, writing at the same date, in that celebrated inquiry of his, wherein, working out hints of Spinoza and earlier philosophers, he expounded the principle of utility as the basis of morals, is careful to give an explanation of utility as he understands it, which too many since then have neglected. The natural function of benevolent feelings, as he considers, is to minister to the true utility of the race. He concludes his book with this well-reasoned proposition: "Sympathy is the chief source of moral distinctions". (Bk. iii., part iii., sect. vi.) He has many eloquent passages on the great natural strength of the sympathies, and he shows that the reasonable indulgence of these is essential to a man's own happiness and indispensable to the existence of society. Thence he derives

the whole force of the moral sentiments. "Sympathy," he says, "is a very powerful principle in human nature, and it produces our sentiment of morals." (Bk. iii., part iii., sect. i.)

J. S. Mill is a little unfortunate in the manner in which he has cast the utilitarian aspect over what is essentially a sympathetic process; for the failure of the utilitarians is not so much that there is any want of real truth in their system, as that their phraseology and cold analysis fail to satisfy the instincts and ideals of humanity. It is as though a man of small æsthetic perception were offering a very true and just criticism of a great poem or striking picture. Mere prosy scansion of the poem or footrule measuring of the perspective of the picture, however demonstrably sound, will never satisfy the mind that is charmed with a fine warmth of feeling in poem or picture. So the application of the prosaic principle of utility to a thing so essentially æsthetic as the noblest morality is never grateful to our finer nature. To the individual in actual life the test as to the rightness of an action is never supplied by a consideration of its usefulness to the race. The true test he finds within himself in his instinct of sympathy. The philosopher is justified in proving that these sympathies have grown up and exist within us in order to minister to the use and preservation of the species, and it thus happens that while morality is founded on sympathy, sympathy is founded on utility. It would be doing a gross injustice to men such as Bentham, Austin and Mill to imagine that they were not themselves clear-sighted enough fully to perceive this chain of causation. But they lost their hold of a general assent by suffering the middle link to drop out of view, and the public, which acts rightly, not by reason of any abstract notion of utility, but by the inward impulse of sympathy and duty, has always resented what seemed to be the application of a cold and pragmatical principle to a warm and beautiful sentiment. Yet the essential basis of utilitarian ethics is sympathetic; it proclaims as right that which promotes the noblest happiness of the race. Mill's "standard of morality" consists of "those rules and precepts for human conduct, by the observance of which an existence of high and pure happiness may be secured to all mankind, and not only

to them, but so far as the nature of things admits, to the whole sentient creation".

Professor Sidgwick, if I clearly apprehend his position (*The Methods of Ethics*, book iv.), recognises the appeal to sympathy to be almost the same thing as an appeal to utility, but he unnecessarily diverts the question from its right channel by speaking of the *pleasure* of sympathy, instead of the *action* of sympathy. Moral conduct which is founded only on the pleasure of gratified sympathy stands on a somewhat insecure basis. Much of the sympathy which impels us to moral action is most unpleasant. A man sees a woman cast herself from a bridge into a cold and turbulent stream; while he runs round to plunge in from the bank he may have time to think of the chill he is sure to get, of his ruined clothes, of the considerable chance his wife has of being a widow and his children of being orphans. He feels no pleasure in the prospect, nothing but anger that the woman should have been so wilful, and yet it is impossible for him to stand callously by and see her drown. If he tried to do so, a something would boil in his blood, and as the time for useful action grew near an end, in spite of himself he would take the plunge and face all the inconveniences. Possibly enough after he has got the woman out he may feel no particular glow of pleasure, but only the chill of streaming underclothes. Thus sympathy is an emotion which, though in the main it gives pleasure, is by no means essentially pleasurable; and we act upon sympathy not to please ourselves, but in obedience to certain imperative instincts which have been bequeathed us by our ancestors, because if they had never had them, they would have failed to survive and we should never have existed. But in spite of the vague and inconclusive termination of his book, Sidgwick seems to me to accept the view that sympathy forms the ultimate basis of morality, and that the progress of morals by which the history of human societies has been characterised has largely depended on the increasing "capacity for sympathy in an average member of the community" (p. 452).

T. H. Green in his *Prolegomena to Ethics* adopts, as his standard of right conduct, an idea of "the perfection of the

human spirit" which is analogous to that which I have called (*d*) the morality of ideal beauty, and which I propose subsequently to show is developed out of sympathy. To Green also this point is clear, though it is occasionally presented in somewhat transcendental form. He says (p. 232): "The development of morality starts from the primary recognition of an absolute and common good which must be good for all men," and that "the idea of a true good first took hold of men in the form of what was needed to keep the members of a family comfortably alive". He thus with complete truth goes back to the sympathy of the family circle for the first dawn of morality; and he thinks, which is also beyond denial, that this is the utmost notion of good "possessed by some wholly savage tribes" (p. 260). He considers that as these primitive ideas spread, the sympathies of the family "embraced a wider area of persons and a larger conception of happiness". "The true development of man," he tells us (p. 185), "consists in so living that the objects in which self-satisfaction is habitually sought contribute to the realisation of a true idea of what is best for man."

Leslie Stephen, in his *Science of Ethics*, p. 170, says, "In some sense or other, morality always implies action for the good of others," which I take to mean that moral conduct is necessarily the outcome of sympathy acting directly or indirectly; directly as the instinct of the individual, or indirectly in the form of duty which is the result of the pressure of the sympathies of the community upon the actions of the individual.

Professor Bain says that "the obvious intention of morality is the good of mankind". (*Mental and Moral Science*, p. 434.) Elsewhere (p. 453) he analyses the basis of the moral faculty into (1) Prudence, (2) Sympathy, and (3) Other Emotions. These other emotions are mostly such as I have classed among the sympathies, being chiefly parental and conjugal affections; the æsthetic emotions which are also included I shall deal with and show to be of sympathetic origin when treating of the morality of ideal beauty. Thus, with the exception of prudence, all Bain's essential elements of morals are sympathetic. As for prudence, I refuse to admit it as a

basis of true morals, but shall speak of it later as the source of quasi-morality. If my heart swells with murderous feelings against another and I would willingly plunge a dagger into him, it is well that the fear of the gallows restrains me. My selfish prudence is a very useful thing for that man, and for society; but my character therein is in no way rendered moral. The man whose only reason for not stealing is that he prefers to keep out of gaol is not a moral man. Such motives to right conduct are essential to society no doubt, and they form a very decent practical substitute for morality. But they are not themselves moral. It is true that what prudence dictates is never likely to be immoral, but it cannot assume an aspect of genuine morality. Considering its practical importance, Bain may be amply justified when he includes this spurious morality with the more genuine sort; but for our purpose it is necessary to distinguish them carefully. This quasi-morality is purely selfish, and arises from a prudent care in avoiding the resentment of our fellows. I shall consider it when dealing with the growth of law and the development of the sense of responsibility.

Meantime we come to the following very evident definition of morality.

Moral conduct is that conduct which is actuated by a wise sympathy.

Sympathy, of course, is the natural capacity of being pleased at the pleasures, and pained at the sufferings of others.

Sympathy is wise when it sacrifices no ultimately greater happiness of others for the sake of a smaller but more immediate happiness.

A mother may sympathise with her child when it has to take a disagreeable medicine, yet if her sympathy is wise it will not crave an immediate gratification at the expense of her child's health.

Such a definition of morality coincides with the views of the utilitarians by reason of the fact that all wise sympathy is for the ultimate good of the species. But it may fairly claim to be more in accordance with the ideas and the feelings we attach to right conduct. If a woman sits up each night

for a week to nurse a sick neighbour, she is little concerned with the good of the species in general; nor does such an idea ever cross her mind. Her kindness is the result of sympathy awakened at the sight of suffering.

The only first-rate writer to whom such a definition of morality would be distasteful is Kant, with whom all morality must be founded on a sense of duty. To him who is naturally truthful, who is clear as the open day in his honesty because he loves truth, Kant will give but little credit. For he acts only as his feelings prompt him, not at the voice of duty. Only the man who would like to lie and cheat but refrains from doing so out of a sense of duty is to be reckoned truly moral. This might seem like a travesty of Kant's views. Take then his own words (*Metaphysic of Morals*, Abbot's translation, p. 14): "There are many minds so sympathetically constituted that, without any other motive, they find a pleasure in spreading joy around them, and can take delight in the satisfaction of others so far as it is their own work. But I maintain that in such a case an action of this kind, however proper, however amiable it may be, has nevertheless no true moral worth, but is on a level with other inclinations. For the maxim lacks the moral import, namely, that such actions be done from duty, not from inclination."

There is much in Kant's exposition of his views that is strikingly noble, but the whole system is based on two untenable propositions, the first being this, that "unless an action be done strictly as a duty, it can have no moral worth" (p. 23). In that case if I have two children, one of whom loves me, and finds a cheerful delight in obeying me, its obedience is in no way moral, while the other, who has no love for me, and would prefer to disobey me, but from a sense of duty renders a strict obedience, is alone worthy of credit as a moral creature. One mother tends and trains her children with loving devotion; another would prefer to spend her time at balls and gaieties, but from a sense of duty she ministers with care to her family. In Kant's view the latter alone is to be granted the praise of moral conduct. If I have two servants, one of whom hates me and would murder me, but that a sense of duty keeps him out of

crime; the other loves me and would not suffer harm to befall me, though his life should be forfeit; this latter is nowise moral, but the former is a good man. These, though so foreign to our reasonable views, are the conceptions of morality which Kant repeatedly emphasises. "It is just in this that the moral worth of the character is brought out, which is incomparably the highest of all, namely, that he is beneficent, not from inclination, but from duty" (p. 15). It is a view which would shut out from the credit of morality all the beneficence of the world's most famous philanthropists who have uniformly been much more actuated by the inclination to do good than by a mere sense of duty. It is a view radically opposed to that of Jesus, and to that of Buddha, whose teachings always bade men think less of duty and more of love; not that duty is abolished or lessened, but that it is a motive of poor efficiency unless vivified and warmed by the natural sympathies.

Kant's second misconception, as I view it, is his notion of the origin of the sense of duty. For he considers duty to be "the necessity of acting from respect for the law," thus making duty subsequent to law and arising from it; whereas in truth the law is subsequent to duty and springs from it, as I shall eventually show. Laws are altered because our sense of duty alters; we are all accustomed to test the rightness of a law by our sense of duty, and the truly moral man in general acts without reference to the law, often in opposition to it. It is my duty to educate my children; I do not inquire whether the law tells me to do so or not. If the great majority of a community conceive the education of children to be a duty they may pass a law which declares it to be a duty for all. Yet in spite of that, men may still have their own notions on the subject. There are thousands of people who feel it their duty not to have their children vaccinated even though the law may direct that they should; and if they reasonably believe that a small public good would by vaccination be purchased at the expense of great and life-long misery to their children they have a duty to resist the law, even as the parents of Moses had a duty to resist that decree which ordered the death of their male children. No one feels

it his duty to stone to death the sabbath breaker though an explicit law of the Bible commands it. Laws grow obsolete as the sense of duty which gave them birth is transformed amid altering grades of sympathy. And no just law can exist without a sense of duty to bring it into existence. Thus Kant's philosophy of morals, however logical as a philosophy, fails in all respects before the criticism of induction. We know, as a matter of fact, that in the development of human society it is not law which gives rise to duty, nor duty which is the foundation of morality; but that morality originates in sympathy, crystallises vaguely into duty, and duty thus formed finds a voice and a definite scope in law. Then law, by reactive force, gives new strength to duty, and duty adds continuity to sympathy.

An Analysis of the Various Virtues.

I shall conclude this chapter by compiling from the ordinary text-books of moral philosophy a complete list of the more important virtues, and showing that while most of them are themselves directly sympathetic, others are indirectly dependent on sympathy for their existence. There is a third class which are not moral in themselves, but become moral only when their object is sympathetic.

Virtues which are essentially sympathetic.	Virtues which are indirectly based on sympathy.	Virtues which are moral only in so far as they are sympathetic.
1. Benevolence.	1. Reverence.	1. Courage.
2. Generosity.	2. Humility.	2. Justice.
3. Patriotism.	3. Fidelity.	3. Prudence.
4. Patience.	4. Chastity.	4. Temperance.
5. Tolerance.		5. Cleanliness.
6. Courtesy.		
7. Honesty.		
8. Truth.		

Benevolence and generosity are, of course, active operations of a sympathy which finds pleasure in the happiness of others, and patriotism is clearly a sympathetic virtue. Patience and tolerance are more passive forms in which we repress the

promptings of resentment or discontent in order not to cause unhappiness. Courtesy is always felt to be genuine only when it springs from a real wish to set others at their ease and make them comfortable. Ruskin truly says (*Sesame and Lilies*, p. 54): "Men are for ever vulgar precisely in proportion as they are incapable of sympathy".

The origin of honesty as a moral virtue is clearly sympathetic. It is that feeling which prevents us from injuring our neighbour by defrauding him of any portion of his property. So also truth prevents us from misleading any person to his hurt, or to our own interest. But the essentially sympathetic nature of truth is seen in the fact that to misinform a person for his own good is considered praiseworthy. Some severe and impracticable moralists would deny this; but their views are at variance with the necessary practice of every community. If we see a man intoxicated or very angry and likely to do another a mischief, or else to make a ridiculous spectacle of himself, no one will condemn us for feigning a cause to lead him away. If a man by accident treads on your corn and immediately shows his concern by asking your pardon and hoping he has not greatly pained you, it is a nobler thing to suppress the signs of your pain and assure him it is of little consequence, than to tell him he has hurt you very badly. If your hostess expresses her regret that the beef is so tough, and is sorry that you are not likely to enjoy your dinner, it would be unpardonable, whatever you may think, if you replied that it is the toughest meat you ever ate. A reasonable tact will forbid you to say that the meat is really most tender, when in fact it is clearly not so. People who in the daily intercourse of life adopt such a tone suffer from a want of sincerity. But the courteous man will be guided by tact, which is always a sympathetic appreciation of circumstances, and so will steer a middle course between the brutal truth and a downright lie.

For after all it is the meanness of the purpose that is the essence of a lie, not the mere variance from actual fact. In diplomacy, men sometimes tell the truth for the express purpose of deceiving. It is none the less a lie for being true. On the other hand, things of exactly the same degree of untruth-

fulness are moral or immoral entirely according to the relation they bear to sympathetic impulses. I say to a friend that if he is going past the post office on his way home he might oblige me by dropping in a letter. He perhaps had no intention of going home by that road, but he knows that if he said so I should on no account suffer him to disarrange his plans. He tells me he was intending to go that way, and takes the letter. Another, but meaner man, fully intended to go that way, but so soon as I ask him the question pretends that he had not been so purposing, but that to oblige me he will most willingly change his route. The amount of departure from the exact truth is the same in each case, but the first we shall certainly not brand as a lie, for it concerns no one but the man himself which way he had intended to go, and his concealment of what had been his true plan has a kindly object. The second we despise as a veritable lie because the purpose is the mean one of obtaining a degree of thanks that is not deserved.

In speaking at a later place of morals as an ideal of beauty, I shall have something to say of truth as a quality of more transcendental character, but in ordinary everyday life the truth cannot be freely spoken. The wise doctor will help the despondent patient by assuming a little more hopefulness than he really feels ; the kindly teacher will encourage the slow pupil by a word of praise that would otherwise not be justifiable ; a good clergyman will sometimes seem to know nothing of the trouble which is brewing within a family till the time comes when he may be able to set it right. In all cases, tact, when its purpose is kindly, is amply justified by all of us in ordinary life ; and tact implies the softening or partial suppression of such truth as is calculated to give pain.

In all cases the turpitude of a lie is determined by its sympathetic relationships. A schoolboy tells a lie for the express purpose of bringing another into trouble. The fault is as mean and black as it can be. Another schoolboy tells a lie, not to injure any one, but merely to escape a punishment which otherwise he must suffer. The falsehood is a mean one ; but still not half so bad as the other. The immorality of the act

consists in his having withheld from the teacher information which he had a right to know. He has therefore misled that teacher, and benefited himself at the expense of another. A third schoolboy whose younger brother has committed a fault screens him by declaring himself the culprit and taking the consequences. It is a fault, for here again the teacher has been wronged by the concealment of a truth which he had a right to know; but it is by no means despicable, for the purpose of it was kindly and sympathetic. In short, if it is the case, as most of us will agree, that an ill-natured truth is a worse thing than a kindly falsehood which makes for peace and mutual goodwill among our fellows, then we can see how, even in its details, the morality of truth is dependent on sympathy. But in its broad features we are entitled to say that, as a lie is a thing which wrongs our neighbour by wilfully misleading him, truth is a virtue to which without any other guidance we must be led by sympathy.

Few will deny the essentially sympathetic nature of the virtues set forth in the second column. Humility and reverence are qualities the reverse of aggressiveness and self-assertion. They are sympathetic because they teach us habitually to subordinate our own claims to the claims of others. Fidelity is a virtue because by promoting a general trustfulness it adds to the repose and happiness of the community. Whenever it fails to present that aspect it ceases to be moral. If I have undertaken to sell a certain quantity of goods to a man, fidelity to my promise is in general a virtue. But if the goods to be sold are barrels of gunpowder, and I subsequently discover that they are to be used for the destruction of Parliament, fidelity might conceivably become immoral. In no case, indeed, is its morality absolute. It is always completely dependent on its sympathetic relationships. If I promise to do something which a friend has asked me to do, but that friend subsequently informs me that he finds it would be rather harmful than beneficial to have it done, there would be no morality in my insisting upon keeping that promise. If there are no other considerations involved save those which concern us two, I act most morally by not doing what I had solemnly promised to do. So completely is the rightfulness of

such virtues as fidelity and loyalty and the like dependent on their relation to sympathy.

We have already seen, while dealing with the growth of conjugal sympathy, how the virtue of chastity in its homelier practical form, not in that character of ideal beauty to be hereafter discussed, is essentially sympathetic. In a primitive community, adultery is forbidden as being an interference with the rights of property paid for by the husband; on the woman's side a truer chastity grows up in proportion as affection teaches her to avoid all cause of jealous unhappiness in her husband; at a much later date it develops on the side of the man in proportion as affection prompts him to avoid connections which would give pain to his wife. The noblest height of chastity is reached in that fond devotion whereby the youth and maiden, having once for all in a lifetime formed a true attachment and become united, remain inviolably bound in such mutual consideration that neither could so much as dream of wounding the other by slight, or coldness, or inconstancy. Celibacy receives the praise of chastity only so long as it has a sympathetic purpose; without such purpose its moral character is dubious. The Catholic priest who remains unmarried in order that he may all the more concentrate his thoughts on the welfare of his flock wins the praise of right feeling. The girl who remains unmarried so that she may tend an old and helpless parent; or the man who checks his inclination to marry because his mother and sisters would thereby suffer—these are entitled to have their celibacy counted to them for morality. Even the man or woman who, having formed a romantic attachment and lost the beloved object, remains thereafter single by reason of unbroken devotion is sure to win our admiration. Not so the professed misanthropist or misogynist, who remains single because too surly or selfish to mate. Not so the hermit of old who fled into the wilderness, shunning his fellows and despising all the sweet sympathies of home life, of conjugal helpfulness and parental interests. The ravings of the zealots of the fifth century about woman as the snare of Satan, the bait of hell, sound to us in no way moral. Rather indeed in their innate coarseness, and in their revealment of the sensual passions as the only con-

ception of love, these mediæval fantasies sound to us distinctly immoral. For in truth nothing truly moral can inculcate a savage isolation and self-sufficiency.

Qualities which are Moral only if Sympathetic.

The last of our three columns of virtues consists of those which are not in themselves moral, but only become moral in proportion as their effects are sympathetic. Courage, for instance, is not necessarily moral. Captain Webb who swam across the Niagara rapids and was drowned therein, showed great courage; but it was absolutely without any moral conception. If I have nerve enough to walk calmly in front of a target at which continual firing is going on I am none the more virtuous on that account. Courage may be actually immoral, as when displayed by highwayman or dynamite assassin. It becomes moral only in so far as it serves the good of others; if it saves a life, or defends the weak, or springs from patriotism. It is moral when it faces death in vindication of a principle, or in discovery of useful truth. It is perfectly accurate to say with Bain (*Mental and Moral Science*, p. 489): "Self-sacrifice is what gives to courage all its nobleness as a virtue".

Precisely the same distinction applies in the case of prudence. It may be either moral, non-moral or immoral according to its relations with sympathy. In the form of cunning it is immoral. In the form of carefulness for our own interests it is neither moral nor immoral, but may be classed as non-moral. Only when exercised for the good of others does it assume a moral aspect. The same distinction evidently applies to temperance and cleanliness. As ministers to our own comfort they are non-moral. They are always virtues in the sense of being things good in themselves, but only in proportion as they are founded on the happiness of others do they become moral virtues.

Nor is the case different with regard to justice; it is merely non-moral so long as it is not sympathetic. If a man owes me money, it is perfectly just that I should ask him for it,

that I should, if needful, sue him for it. But such assertion of my rights does not make me any the more a good man. But if I go to my neighbour and say to him that, though he is unaware of it, I have done him an injury and wish to make reparation, such an act of justice is truly moral. Herbert Spencer draws the same distinction with great care (*Ethics*, part iv., 20), but he extends the meaning of the word moral far beyond its scope in ordinary usage. If a man drops a weight upon his toes, it is just that he should suffer; and Spencer would declare the sequence to be moral. In ordinary language, the matter would be neither moral nor immoral. If a man has frequently cheated me, it is just enough that I should distrust him. Spencer would regard my distrust as moral, whereas the ordinary view would be that while it is a natural enough result, it could no more be called moral than it could be called immoral.

So long as my notion of justice goes no further than the vindication of my own interests, my own rights, my own feelings, it is no way distinctively moral. What Spencer calls "altruistic justice" is that which is truly moral, and, as he says, it is "sympathy which makes the altruistic sentiment of justice possible". The same view is elaborately urged in the last chapter of Mill's *Utilitarianism*. Justice then becomes truly moral, when, in its general outlook upon society, it strives to equalise the opportunities of happiness. Where claims conflict, that which promises the highest sum of total happiness must prevail. Is it just to make this poor mother give up her fever-stricken child to be tended at the fever hospital? It will almost break her heart to part with it. But only thus can the fever be stamped out. Only thus can greater unhappiness be averted from many homes. Then it is just that her happiness should give way before the general interests. If her sense of justice induces her generously to acquiesce, her action is essentially moral. But the action of the community, though just, is not moral; being actuated only by a selfish prudence. Yet if each member of it is thinking less of the possible sorrow to his own home, than of the woes of others, such united action might easily enough assume a distinctly moral complexion.

It is clear then, that when the Jew demands justice in the shape of his pound of flesh, such justice is not necessarily moral; but in the famous definition given in the *Institutes* of Justinian, according to which "justice is the constant willingness to give to each person his own rights," the virtue is clearly moral, and is, moreover, sympathetic in its basis. When the possession of rights of my own leads me to comprehend that others have rights; when the annoyance which I feel if my rights are disregarded or destroyed leads me to comprehend that others must suffer in the same way if I disregard or destroy their rights, then the next step in the development of justice occurs when I learn to forbear inflicting upon others those pains or annoyances which I myself dislike.

The matter offers scope for further investigation; but enough is clear for our present purpose when we see with Herbert Spencer (*Data of Ethics*, p. 148) that "sympathy is the root of both justice and beneficence". Even Kant, in spite of his emphasis of the commanding claims of duty, is after all compelled to find his roots of morality in the same basis. For the crown of his whole system is what he calls the "practical imperative" of right conduct; and this supreme maxim runs thus: "So act as to treat humanity, whether in thine own person, or in that of any other, in every case as an end withal, never as a means only". (*Metaphysic of Morals*, p. 47.) This, as I understand it, resolves itself into a wise sympathy that ministers to the general good of humanity.

Thus the most scientific analysis of morals serves only to reveal the essential truth of the teaching of Jesus and of Buddha. For the ethics of the one centred in this commandment, "that ye love one another" (John xv. 12); of the other in the noble saying, "He who is patient with those who hate will find peace; this is the spirit of religion". (Udanavarga, xiv., 11.) And it is therefore clear that this quality of sympathy whose origin was so humble, that in fish and reptile its function was merely to facilitate the hatching of the better type in a world of ceaseless struggle and destruction, has risen by perfect continuity to form the basis of the most beautiful of all things that earth contains: a moral nature swayed by impulses of pure and tender sympathy.

CHAPTER XV.

GROWTH OF THE SENSE OF DUTY.

The Nature of Duty.

Sympathy alone may form an efficient morality, and no morality which is without it can truly satisfy the needs of human nature. Yet all morality takes a nobler aspect when the sense of external duty lends it strength and dignity; a yet nobler when an internal self-respect arises to supplement that sense: and the noblest of all when to these is added a feeling of the ideal beauty of moral excellence, of the comeliness and priceless worth of pure and incorruptible aspirations. Of duty, the prime function is to lend permanence and evenness to the somewhat capricious play of sympathy, which is too apt to vary from person to person, and even in the same person from time to time. Sympathy is the motive power; yet the sense of duty is required to act as a sort of fly-wheel, and give steadiness to its spasmodic energies. We see how, when some great calamity has filled for a while the newspapers, sympathy works upon the hearts of the public, and subscriptions flow in broad streams to alleviate the woes of widow and orphan. The volume of that stream may depend on a picturesquely written article, it may often be immensely increased by some caprice of accident not essentially altering the sufferings undergone, yet with power to set the chords of pity vibrating in a million hearts. In England there are some 20,000 widows left every year for whom no public appeal is made, though their position must very often be destitute enough; but if their husbands have been drowned in some appalling wreck, or smothered in some harrowing mine catastrophe, they are raised above want for the rest of

their lives. In every case sympathy is liable to these spasmodic outbursts, but the sense of duty carries forward some of the surplus energy created in the one striking case, and distributes it more evenly into others that have had no special opportunity of directly touching the emotions.

It is a capital stroke for the manager of a hospital when he can take a wealthy man round all the wards and move his feelings with the sight of suffering; a handsome cheque will follow. But the net result is better when that man has set up the general practice of sympathy as his principle of life, so that it becomes a duty. Then, without any such adventitious aid, his cheque is annually sent, not to that alone, but to all similar institutions of his district.

Suppose that two little patients are brought into a children's hospital; one is a bright, pretty, sweetly-smiling girl who takes the nurses by the heart at once. Her own attractiveness and a strong pity for her sufferings will make them all devoted to her, and no trouble is too great if only it relieves her or gives her pleasure. The other is a very plain, dull, peevish boy, who would, if sympathies alone were involved, receive but scanty notice. He is blest with no qualities which can move the feelings. Yet a sense of duty, which in such a case is methodised sympathy, will convert these capricious emotions of the nurses into a principle; and though the boy never awakens the same vivid interest or hearty affection, he is tended with fingers as deft and soothed with words as kind as is the more attractive sufferer.

In all callings, in all relationships, as sympathy ceases to be fitful, growing independent of immediate stimuli, and becoming instead a less demonstrative, but more continuous motive power, so does it become transformed into duty. Not that it ever becomes wholly so transformed: duty is very rarely quite independent of sympathy; it is always easier to be polite to a charming and gracious young lady than to an ugly, grumpy old beldame; but courtesy to the latter may indicate a sympathy which has grown so habitual as to be no longer wholly dependent on an antecedent stimulus.

Thus duty is in part merely a sort of control which the habitual sympathies of a man have over his actions, and so

far as this side of its nature is concerned it only develops in more systematic form the morality discussed in the last chapter. I shall return again to the subject when speaking of self-respect. But at present I shall deal with duty in the much commoner view of it as that rightness of conduct which is actuated, not by the internal play of the sympathy of the individual, but by the external influence exerted on his actions by the average sympathies of his community. It is this feature which gives to the morality of duty a greater definiteness and permanence than the morality of pure sympathy; for while the latter is liable to all the variations of individual moods and natures, the average is a something much more steady and uniform. Not that it is ever anywhere near to complete uniformity. Ideas of duty vary from class to class, from nation to nation, from religion to religion. But in all cases the average sympathy is less liable to change than that of the individual, and the wider the area over which the average is taken the more approximately constant will that average become. Thus when groups of tribes have been welded into a nation, the average feeling which begins to dictate the treatment accorded to children and to wife becomes more steady and more powerful by mere weight of numbers. And as consolidation proceeds there is a tendency for standards of sympathy to be set up and approximate to uniformity. For instance, the civilised nations of the world now-a-days interact on each other in this way, and any eccentricities which one may have as to slavery, war customs, treatment of poor or sick, education of the young, subjugation of females, and so forth, tend to be reduced to uniformity.

Thus the *content* of a duty is determined by the average of the analogous sympathy. But we shall first have to deal with the *sanctions* of a duty—those influences which enforce it. These sanctions are three in number. (1) The influence of surrounding opinion. (2) The influence of imitation. Both of these are dependent for their power on the capacity of sympathy possessed by the individual. (3) Obedience to authority, whether social, civil, or religious. This last may or may not suppose a basis of sympathy according as the appeal of authority is to the emotions or to the prudence of

the individual. Only in the former case does it give rise to true morality; but in the latter it is the foundation of a most useful substitute, which, as already stated, I shall call quasi-morality. Great accessory influence is also exerted by (4) habit, which, though incapable of originating a sense of moral duty, adds immensely to the controlling force of a duty once it is formed.

The Sanctions of Duty.

In the most primitive human communities the sense of duty is neither strong nor very apparent. Many authors have asserted that in the lowliest of all there is no such sense. Of the Bushmen Burchell says: "Here are men who know not right from wrong" (i., 300); and Livingstone's account (*Miss. Travs.*, 159) practically endorses this statement. But if we carefully weigh their descriptions with those of Lichtenstein, Kolben, Barrow and Casilis, we find that such a statement is only a forcible way of describing a very rudimentary notion of duty. They are kind to one another, hospitable, and generally cheerful, but whatever goodness there is in their character is in the main the outcome of the feelings of the moment. The Bushman acts rightly only by reason of his affection for this person and his fear of the vengeance of that. And yet it is certain that men never can live in communities without feeling the influence of opinion; for a sensitiveness to the praise, blame, or ridicule of others is a phase of sympathy found not only among them, but even well down in the animal scale. Laugh at a dog or monkey which has been purposely trying to amuse you, and it is extremely pleased, repeating the funny performance over and over again. Laugh at the same animal when, without intending to be funny, it has incurred your ridicule; then it is deeply offended. Try the experiment of laughing heartily at a dog which is in a quiet humour. He shrinks away with his tail between his legs. The same experiment with a monkey puts him into a paroxysm of fury. Indeed every animal of intelligence likes to be petted and praised, hates to be scolded or laughed at.

The savage feels these emotions in the strongest form. He loves praise; he hates blame; he cannot endure to be laughed at. The first bloodshed of natives in Victoria arose from the fancy of the bluejackets to put an old suit on a friendly black, and then laugh heartily at his ridiculous appearance. They never dreamt that it was a thing a savage detests, and when a shower of spears revenged the uproarious laugh, our honest sailors attributed the attack to a treacherous and ferocious spirit.

But to say that a savage loves praise, fears reproaches, detests ridicule is practically to say that he is largely under the influence of public opinion; and it is clear that these feelings will tend to make his conduct conform to the standard set up by the average sympathy. If the general feeling in a tribe is that a certain new-born babe should be killed, then the father incurs blame if he lets it live, and praise if he destroys it. But he wishes the praise, and would avoid the blame, so that he feels himself not altogether free to act entirely as he pleases. If all the tribe, even the very women, deride the man who runs away from the enemy, he will feel some external pressure impelling him to courage as a duty. If they laugh heartily at him when he boasts inordinately, he will learn to keep some of his conceit to himself, and so the idea of modesty will grow upon him also as a sense of duty.

Imitation assists in the development of this feeling. If a tribe, after centuries of internal adjustment, has unconsciously drifted into that sort of conduct which is best suited for its circumstances, the hurtful having been checked by blame, the beneficial encouraged by praise, then the young are born into a fairly settled system. The lad imitates his father and the girl her mother; and in matters wherein the custom of the tribe is uniform, habit gives a singular strength to an idea of duty which is born merely of imitation. It is often impossible to move a savage out of a line of conduct for which he can give no other reason than that it has always been the custom of his ancestors.

Where imitation and the influence of public opinion are at work, the sense of duty must always arise. But they are constantly at work wherever a dozen people dwell together,

and therefore we may assert without fear that a sense of duty in some rudimentary form exists in all society, a conclusion which is justified by the best and most recent accounts of the lowliest tribes.

I have not yet spoken of obedience to authority, for that is no element of the notion of duty in its earliest forms. We have seen that the lower and middle savages have no chiefs nor any settled government: and those which the higher savages possess are of limited control. But no one for a moment doubts that middle and higher savages have very definite codes of duty. It is clear then that the sense of duty is not a mere deference to authority. The expression of public opinion and the natural tendency to imitation exert a pressure whose strength is proportional to the emotional capacity of the individual; it compels him to adopt the average standard of sympathy as his rule of conduct. This is felt by each person of a savage tribe as his sense of duty.

A. R. Wallace tells us (*Malay Archipelago*, p. 595): "I have lived with communities of savages in South America and the East, who have no laws and no law-courts, but the public opinion of the village freely expressed. Each man scrupulously respects the rights of his fellows, and infractions of those rights rarely or never take place." L. H. Morgan tells us (*League of the Iroquois*) that "the lash of public indignation kept the Iroquois straight," and H. Brooke Low relates how often the Dyak woman who has incurred disgrace will prefer to commit suicide rather than face the jibes and sneers of other women. (*Anthrop. Inst.*, p. 132.) Erskine says that the Fijians, though they gloried in cannibalism and at first boasted to the white men of their records of human banquets, grew more reticent as they perceived the horror thus awakened, and by gradual degrees passed from a condition of pride to one of shame which indicated the coming discontinuance of the practice. Mrs. French Sheldon says of the negresses of East Africa that they are the "slaves of fashion". (*Anthrop. Inst.*, xxi., 367.) Fytche (*Burmah*, i., 343) remarks how prone the Burmese are to commit suicide when under a keen sense of disgrace; and this, though true to a certain extent among ourselves, is more

particularly true of oriental peoples. The Chinese have a proverb that "a feeling of shame is akin to courage" (Douglas, *Confucianism*, p. 108), meaning that a man not naturally valiant may be made courageous by a feeling of duty prompted only by shame. We know very well that among ourselves the formation of a strong public opinion in regard to any detail of conduct will sooner or later force upon the community as a duty the conduct thus approved.

In this way, then, a corporate standard of sympathy will thrust upon the individual a line of conduct to which his own sympathies may not naturally impel him. To secure the general praise, avoid the general blame, and escape the general ridicule, he will imitate the general example, and the pressure of this external force upon his actions will be felt by him as a sense of duty.

Yet in a primitive community a man has to acquire for himself his own conception of the idea that prevails in the community. His old mother, perhaps, is growing very feeble and burdensome. He would like to abandon her. But dare he do so? He may make a mistake and incur the blame of the tribe. So long as the community is very small he can easily enough learn the general mind on the matter. The larger it grows the more difficult will it become to form an adequate estimate. It must be a relief then to the barbarian to find the general sense of the community expressed in traditions, maxims, and eventually in laws. These he obeys because they justify his actions; it is thus he may shun disapprobation; it is thus he may win applause. For those who are sympathetic enough to thirst for praise and to shrink from blame, this is all that is necessary. A fairly accurate compliance with the ordinances that express the general opinion will thereby become common. But the community has still stronger incentives to offer than praise and blame; it has punishments and rewards; it can appeal not only to the emotional side of a man's nature but also to his prudence. Yet when the corporate authority becomes strong enough to compel obedience to its notions of right, then the individual, in so far as his obedience is dictated by fear of consequences,

is actuated no longer by moral but only by quasi-moral motives.

If a man would willingly rob another, but that on considering the matter he feels tolerably certain of being detected and punished, his action in refraining is not moral but only quasi-moral. Of course it may be said that even the man who acts rightly only for fear of public opinion, is influenced by a motive not essentially different; and it is undeniable that the true morality glides by imperceptible degrees into its substitute form. Indeed, quasi-morality always has a strong tendency with time to grow into something not very distinguishable from the other. A child may for fear of punishment avoid falsehoods until with years the habit of speaking the truth has become a second nature. If that has been his sole motive, his truthfulness will be essentially inferior to that of the man who would never dream of telling a lie for the reason that a lie is a wrong against his neighbour. Yet these two persons may in practice equally deserve the credit of a manly and undeviating honesty.

Quasi-morality is always useful to a community, differing therein most essentially from another form with which I shall deal further on in this chapter under the name of pseudo-morality. For it always assists in securing compliance with the law, and that is the first practical necessity. The truer morality, however, is far more effective. For authority can deal only with salient features of conduct, while public opinion and imitation search into a man's daily life, and an active sympathy into the very thoughts of his mind. Men, therefore, in the primitive community, gather their notion of duty out of the habitual pressure of public opinion, and the tendency to imitate; subsequently these vaguer differences grow narrower but more intense in the shape of a definite allegiance to laws, or to a lawmaker who expresses the general feeling of the community.

We see the same elements at work to form the sense of duty in the child. No infant is ever born with a sense of duty, but the more sympathetic its nature the more easily is that feeling educed; both the content of the duty and its sanctions being founded on sympathy. For of course it is

clear that the more kindly a child is by disposition the more easily will it be taught to injure none by cruelty or falsehood, selfishness or anger. The more easily also will it absorb the prevailing tone of morals by reason of its susceptibility to general opinion, to imitation and to the authority of those it loves.

A false training begins with the ruder form of appeal to authority, and lays the foundations wrongly in a quasi-morality. "If you do this," the child is told, "you shall be whipped." If you do that you shall be locked up in a room all day." By such training one may break a child in so that he will follow a right line of conduct, but he will never follow it because it is right, nor indeed have a sufficiently clear notion why it is right.

But a proper training would rather assume this sequence:—

1. The encouragement of the kindlier side of the child's nature and the repression of the more selfish.

To a child of ten or twelve months old, the wise mother will be heard to say: "You would not hurt poor little sister," or "Give doggie a little bit, see how hungry he is," or "Give back his toy to the little boy; he is crying because you took it". Such a training in the very first year has a large scope for its activity; one mother may by indulgence even at that early age allow the selfish tendencies to acquire a melancholy predominance; another may so work upon the more generous feelings, so cultivate and strengthen them that they shall be of themselves an internal standard of duty such as I propose to describe in the following chapters.

2. The encouragement of a deference to the feelings and opinions of those around it.

For before the child is a year old the influence of surrounding opinion has begun its useful work. When anything has been amiss, the words "you are a naughty little child" are followed by tears, which show how the condemnation has gone home. "Give up the plate, you may break it, there's a dear little baby," and the plate is surrendered; whereupon kisses and caresses yield it a sympathetic reward for an act of renunciation. The natural sympathies of most children are strong; they cry when they hear another cry; they smile in

answer to smiles; they are terrified at the sight of danger threatening any of those they love. But in all cases, however strong the natural sympathies, they are capable of being educated, and in the process they develop something in the nature of a sense of duty by reason of the praise or blame of those the child most loves. Now this is a part of the life-history of each of us that is antecedent to memory. No one can remember the events of his first and second years. Thus to each of us the sense of duty seems to be a thing that we always possessed, because it is impossible for us to recall the time when we had it not.

3. The use of imitation.

Imitation also plays a great part in the growth of a sense of duty; and the early training of children generally appeals to its aid. "You never see mother do such a thing" is a very frequent admonition; or the child is told to "look how nicely little sister does it". It is well known how easy it is to bring up the younger children of a family if the elder are well trained, for the juniors are largely swayed by the example of their seniors. A child a few years old that has been neglected and ill-regulated, if placed in a well-conducted family will in a few months adopt their tone. An unruly lad brought to school and enrolled in an orderly class of boys, will in nine cases out of ten insensibly comply with the customs that prevail; and every one knows how undesirable it is that young folks should mix up with those whose notions of duty are low, for they will absorb these notions as a mere matter of imitation.

4. The appeal to authority.

Lastly in the education of the moral sense of children comes the appeal to authority. If, as is unfortunately often the case, this is too exclusively relied on, the sense of duty has no abiding foundation, and fails in proportion as authority loses its control. The youth when he leaves his father's home, and when the eye he has been accustomed to fear is no longer near him, gives way to excesses, because his morality has been founded solely on a deference to authority. The sailors whose discipline has been founded on fear may, when the ship is sinking and authority is at an end, broach the liquor and give

a loose rein to every passion. So, too, there are those who, if their faith in the truth of their religion declines, so that its denunciations of punishment have no longer their ancient hold, feel in great danger of precipitation into all manner of evil. You may see when a party of schoolboys are left for a while to themselves whether their training has been that merely of compulsory obedience to authority or the superior training which has cultivated right feelings. In the former case all restraints are thrown off when the controlling authority is absent; in the latter no material difference is seen, for the rules of good conduct are such as a properly trained sense of kindness and consideration will dictate.

Yet the appeal to authority has its place in moral training, and in a well brought up family it is enough if it is reported "father says you must not do so". When the respectable citizen finds that a thing is forbidden by law, there is an end of it; the thing is wholly inadmissible. When the religious man is shown "thus is it written," he no longer discusses the matter. His duty is clear. To the average man of fairly moral feeling this is a comfort. No longer is he tossed hither and thither by conflicting sympathies. The word of father, or law, or holy writ, being venerable, forms an easier and more definite guide.

But this deference to authority may be either truly moral or only quasi-moral. If the father's teaching has merely been "do this or I shall whip you"; if the man's obedience to the law arises merely from fear of gallows or gaol; if the grounds of a man's respect for what he regards as Divine law be merely the awful torments threatened by the Koran, the degradations of metempsychosis as taught by Buddha, or the endless flames of hell as pictured in mediæval Christianity, then his morality is only quasi-moral. He does right, not because it is right, but because he is attentive to his ultimate self-interests. I have heard a religious man say: "If I were to believe that there was no hereafter, I should start and have a good time. I should enjoy myself, I can tell you." Thus he expressed a cynic selfishness, betraying that in all this universe there were no interests worth considering but his own pleasures, and, moreover, revealing but a gross idea of pleasure. For if he

knew it, how could he more truly enjoy himself than in the practice of virtue? Is happiness found where vice flaunts, where riot rules? Is it not a thousand times rather where a good wife returns a mutual fondness; where little children are knit by tender ties to the father's heart; where daily life moves on amid the love and respect of all one's neighbours and the interchange of kindly services?

Yet we have reason to be thankful that for some natures this quasi-moral sanction is in operation. There are boys who would never allow a flower to grow in your garden, or a peach upon your trees, if their father had no whip at home. There are thousands of men who are honest only so far as a general disinclination to gaol-life can deter them. There are tens of thousands who, in their secret minds, must confess how bad their lives would be had they no presentiment of hell-fire. Let us be glad that they have their appropriate restraints. Yet conduct so directed has no truly moral motive. It finds its impulse in that absorption in self, that paramount concentration on one's own interests which it is the chief business of true morality to combat and diminish.

It has been shown, however, that this spurious substitute for morality has a strong tendency to merge insensibly into the genuine article. For the individual who as a lad has acted rightly for fear of his father's whip, then as an employee for fear of dismissal, then as a citizen for fear of the laws, then as a devotee of some religion for fear of post-mundane torture, may find right conduct grown by habit into a part of his nature, so that the true but sordid foundation of it may become little visible, and he may have every appearance of a truly moral man.

But while deference to authority generally has some admixture of this less worthy class of motives, it is always, in its higher aspect, sympathetic. If the lad says, "I must obey my father, not so much because he would most likely whip me if disobedient, but because I cannot bear to vex him," then such a deference to authority is purely sympathetic and it has a nobler ring. If a girl says, "My mother never whipped me in her life, and the only punishment I have ever known has been the expression of her displeasure. Yet on that very

account I would hate to do anything contrary to her wishes;" such a deference to authority has in it nothing sordid. Such a lad or such a girl may lose father or mother, may go far away from any immediate restraint, yet the motives of right conduct are not the less present; for they are truly moral, not merely an imitation of morality.

So, too, the citizen may obey the law, and let us hope, generally does obey the law, from no mere fear of punishment. All of us might, if we chose, in some minor particular or other, daily break the law with little fear of detection. But the truly moral man, unless his ideas of duty seriously conflict with those laid down in statutes, obeys the law from a general belief in its beneficence. The thought of going to gaol never crosses his mind, but the excellence of the law commands his respect too deeply to suffer him to wantonly disregard it. Even such enactments as have in no way gained his approbation he will in general comply with scrupulously, from a feeling that a profound respect evinced by all for the law is a means of securing in the highest measure the order and harmony of human societies.

Midway between this deference of love and the deference of fear, there is the deference of awe. It springs from the consciousness of that which is greater than ourselves, even though there be no tincture of fear. If you or I in this afternoon's walk could meet with Shakspeare or Beethoven on the country road, and pace a mile or two by his side listening to the cheery commonplaces of an ordinary conversation, what a time of deep emotion would that be, and how memorable the experience! However republican you may be in sentiment, if the ruler of a great empire visited your home you would scarcely treat him as an ordinary stranger. Though you would have no remotest sensation of fear, a certain feeling of awe would possess you. In general men have a strong consciousness of this sort in the presence of the very rich, the very famous, the very powerful. The words and wishes of such are received with an especial tendency to respect; the whole being an emotional effect of a kind closely related to sympathy. It is reminiscent of the time when child and mother in the primeval cave listened to the roar of wild beasts

without, and crouched for protection beneath the father's spear. It is reminiscent of the days when peasants gathered timidly round the castle of the baron and his mailed knights, seeking security from widespread rapine by humbly fawning on the great man. So do the sheep huddle together for protection of the dogs when the wolf or dingo pack is approaching. So does the dog, at the terrific thunder-crash, steal up behind his master and, licking his hand, beg his strong society in the unknown danger.

To all of us from our youngest years, authority has had the same aspect even where there is no definite fear. The child looks up with awe to the parent; then when he is first taken to school what a divinity seems to hedge the teacher round: and even when he leaves it, a certain something lingers about the memory of the head-master, who never seems wholly as other men. The small child passing the uniformed policeman in the street looks up with eyes in which indefinite awe may clearly be read. How eagerly he listens to stories of kings and queens, of sorcerers and fairies; all power, all riches, all greatness being sources of that awe which is the story-teller's chief stock in trade!

The deference to authority which thence arises is not in itself sordid; in general it is essentially sympathetic. If a Tennyson were to take some interest in a lad's verses or a Helmholtz or Kelvin to suggest a few criticisms of his mathematical problems, the extreme deference which a well-tempered youth would pay to age and experience and fame would be much more sympathetic than self-seeking; and in general the same may be said of the respect which is paid to those older, or greater than ourselves. And this, of course, is the chief element in that deference to authority which we yield to parent, to judge, or to sovereign power.

The deference which is paid to Divine authority may be of the same class, and in that case it gives rise to a true morality. Obedience that is due to fear of Divine punishment is, of course, only quasi-moral. But suppose that a man, who as a child was filled with a deep devotion to his father and with gratitude for much love and abounding care, should in maturer years transfer precisely the same sort of devotion to

one conceived as a heavenly father on whose goodness he is dependent. Suppose that mingled with this affection and gratitude there is the awe that naturally fills our minds at the aspect of the very great or very noble, then the deference to Divine authority becomes purely sympathetic. A man then obeys his God because he loves and reveres him, not because he is afraid of his punishments.

Thus when we analyse the three sanctions which enforce the sense of duty—public opinion, imitation, and deference to authority—we find that the action of the two former is essentially sympathetic; while that of the last is always sympathetic in so far as it produces a true morality. It is thus abundantly clear that having traced the rise of sympathy from the humblest origin we have thereby explained also the source of the sense of duty which always, when men dwell together, arises out of the play of sympathy.

It is strange, therefore, that so many moral philosophers should have been bent on maintaining what Kant calls the "inscrutable origin" of the sense of duty. According to them the sense of duty or conscience is a thing that "every man has originally within him". How can this be so? Do we not see its growth in the child? What sense of duty do we expect of a babe six months old? Do we not look for more of it when the child is a year, and still more when he is five years old? Can we not trace the stages in the growth of duty within the savage community? Do we not see that notions of duty vary from man to man and from nation to nation; while the strength of the general sense of duty is even more inconstant? These transcendental views of duty have no grounds to stand upon, and are possible only to those who have been too busy with theories ever to take an occasional look at facts.

Will any one affirm that the causes herein enumerated are of insufficient power to produce the sense of duty? Why, the influence of public opinion alone is ample; sometimes it is even too powerful, and overstepping the limits of beneficent rule it becomes a perfect tyrant. With the influence of imitation added it is far more than adequate to the formation of all our ideas of duty, which, in fact, if we care to analyse them

minutely, will be found to rest almost entirely on these and but little on any deference to authority.

No one is born with the sense that he ought to wear coverings on his feet. Yet the influence of opinion and imitation drives it deep into our inmost nature. Ask a London citizen on a warm day to walk bare-footed down a busy street, and see how powerful these influences are. A single linen garment looks pretty on an oriental maiden, and is ample for all purposes of decency. Propose to a lady to visit a few friends in a night-gown, and then observe how absolutely overpowering is the habit of compliance with public opinion and general usage. The worst feature of these influences is that they have too great a power, for they convert into duties of the most inexorable character, many things that have no moral complexion whatsoever, and often the futile duty takes an unfortunate precedence of the nobler and more useful duty. Thus, how many ladies are there who would rather tell a little lie than walk on a public street without gloves! How many men would much prefer to steal a collar and tie rather than appear in a crowded drawing-room without these adornments!

He who wishes to see the tremendous power of the sympathetic submission to public opinion might do well to watch the young actor about to make his first appearance on the stage; the young musician on the eve of making his *début;* the man who is about to face an audience in his maiden speech. Though the actor's part, the musician's sonata, the orator's discourse are known with ample accuracy, and nothing very dreadful would be the result of mistake, yet you may see the agonies of nervousness to which the sufferer is liable merely by reason of the thraldom of public opinion. Such a person breaks out in profuse perspirations; his heart beats fast; his limbs tremble; his colour shows a sickly derangement, and for a day or two thereafter his digestion will certainly be impaired. But we are all of us in our own measure constantly before our own public, compassed around with an audience or with spectators before whose collective might we quake though we scarcely know it. Not one man in a thousand could so far stand up against it as to appear at

a public dinner, even on a summer night of sweltering heat, in a light and loose-fitting suit of snow-white linen. A hundred years ago every man in a gentleman's position shaved his head bare as a pole, and covered it with a great uncomfortable wig of horsehair. Every lady, when such was the inexorable demand of fashion, squeezed her waist into a wasp contour, injuring her health and acting with conscious folly because incapable of braving the tyranny of opinion.

Indeed the words of Locke (Essay ii., xxviii., 12) are in no way over strong when he says: "There is not one in ten thousand who is stiff and insensible enough to bear up under the constant dislike and condemnation of his own club; he must be of a strange and unusual constitution who can content himself to live in constant disgrace and disrepute with his own particular society".

The sense of duty thus formed out of the pressure of surrounding opinion is seen to be of extraordinary force. Whether it is moral or not will depend on circumstances; in one age this pressure will make it a man's duty to fight a duel; in another age it will make it his duty to refuse to fight.

The Contents of an Idea of Duty.

Whether any particular duty is a moral duty can be determined only by a consideration of its sympathetic relations. For it is plain that these three sanctions of duty, namely, public opinion, imitation, and deference to authority, are quite capable of converting any sort of action into a duty. The silliest, the cruelest, the most revolting things have by their influence at times become imperative. The discrimination must lie in ascertaining whether that which has the appearance of a duty has any really sympathetic basis in itself, or whether it is the product merely of sympathetic sanctions. Thus the wearing of a wig was forced on men by the operation of public opinion, and therefore had an external dependence on sympathy; but in itself it had no such sympathetic character. It was no moral duty therefore. The duty of politeness, however, is not only enforced upon

us by the same external sanctions, but it has within itself the force of an instinctive impulse of kindness; a want of it yields not only the shame of the criticism of others, but the remorse of serious accusation before our own inner instinct of sympathy.

Duties into the essence of which no motive of sympathy enters are simply non-moral. We ought to go to bed before midnight; we ought to sound the "e" in "aborigine"; we ought not to call by her Christian name a lady to whom we have just been introduced. All that class of duties which Kant would range under the heading of "hypothetical imperatives" I shall merely call non-moral duties. They are such as a person may without harm neglect if he chooses to defy public opinion, for they are incapable of accusing him before his inner self of any want of proper sympathy.

But far more important in the history of the rise of ethic feeling is the distinction between the truly moral duty and the pseudo-moral duty. The latter arises when imperfect sympathies set up standards which later developments refuse to ratify. Take the example of religious persecution. The best of men in bygone times thought it right when those whom they believed to be erring were brought by fear of stake and gallows, thumbscrew and prison, to adopt what they considered the true faith. There can be no doubt but that an immense amount of cruelty was thus inflicted from a sincere sense of duty, which was not merely a duty imposed from without, but had the internal approval of a conscience which believed itself acting for the good of mankind. So, too, the long series of laws against usury form a case of pseudo-duty; their origin was sympathetic, but time has shown the mistaken nature of the sympathy. The burning of witches, the stoning of those who broke the rest of the sabbath, the refusal of some to go near a theatre, of others to read a novel, the abject submission to the Divine right of kings, or to the infallibility of popes, with long lists of similar cases, all point to the existence of ideas of duty which had the proper sanctions of public opinion, usage and authority, and have also had some internal motive of zeal for human good, yet time has declared that the sympathies on which they were founded

have been ignorant or imperfect; conscience being thus by no means the infallible monitor it is so often absurdly considered.

The great injury done by the duties of pseudo-morality is that they divert attention from those of true morality. Yet the evil is always unavoidable; much that we feel assured to be true morality to-day may seem as radically false 1000 years hence. At Trafalgar it was the Englishman's duty to kill as many Frenchmen as he could. The time will come which will refuse to justify any warfare. We feel it a duty to give our most glorious titles and richest rewards to the successful soldier. Men will feel otherwise some day. It would be wrong, according to our present views, to give an incurable cancer patient a dose of morphia to end for ever his sufferings. We shall learn a truer sympathy.

We need only run through the laws of bygone ages to see how constantly attention was drawn away from weightier matters by these pseudo-duties. In the English statute book, for instance, we find (1523 A.D.) that no one is to possess more than 2000 sheep, in order that the land may not be converted into sheep-walks. Yet at the same time (1533 A.D.) mercy is so far forgotten that those who have failed to change faith along with the king are to be burnt alive. In 1545 it was enacted that no pins were to be sold which were not "double-headed with the heads soldered fast to the shaft"; and, in the same year, there was an Act to punish those who charged more than 10 per cent. of interest; and (1563 A.D.) a statute was framed against charging more than a certain price for barrels; yet at the same time there was the penalty of death decreed for those who conjured the spirits of the dead. Whilst these and the like distortions led to the creation of pseudo-duties, a true sympathy was forgotten. While men's minds were wildly excited in discussing the pseudo-duty of clergymen to abstain from marriage, boys and girls had their hands cut off by the dozen for petty thefts, women were burnt, and men disembowelled for an abstraction called high treason.

Think of the Christian Church issuing solemn edicts against the sin of eating horseflesh; the Egyptian horror at the wickedness of eating mutton (Wilkinson, i., 166); the

ancient Jewish ordinances against eating pork. Think how the early Christians wrangled as to the supreme necessity of being circumcised; how the unpardonable sin with the Zoroastrians was to bury the dead instead of burning them. (Haug, p. 229.) In the laws of Manu a man must not marry before his elder brother; but both in these laws and in many others, when a husband dies leaving no children, his brother must at dead of night enter the widow's bed, once or oftener till a child is born.

So far from the notion of duty having that permanence, that uniformity which, on Kant's supposition, would mark its transcendental origin, it has all the rugged look of a growth, here distorted and there knotted. There is absolutely not one of the moral virtues which the sense of duty has not at some time or other warped or defied. Is it the prohibition of murder? Then what of all the tribes whose most sacred duty is to gather human heads; what of the Australian who, if a relative has died, finds himself bound by the great duty of killing some one in expiation; what of that grave circle of respectable philosophers described by Boswell, who, with Dr. Johnson in their midst, but a century ago decided after long discussion, that a man was bound to fight a duel if his honour were impugned?

Is it the duty of chastity? Was it not the duty of every Assyrian woman to prostitute herself at least once in the temple of Beltis (Rawlinson, iii., 465), and has not the same inexorable sense of duty prevailed in many forms of phallic worship? Aristotle and Plato gravely relate with a general sense of approbation the scandalously sensual habits of the ancient Spartans. Plato thought it a duty for modest women to yield themselves freely to the embraces of a strong and heroic youth so that the warrior blood of the next generation might be improved. Think of a council of grave elders among the Australian blacks sentencing a man to be beaten to death for marrying his cousin, and then proceeding to determine which widow of the tribe is to be used for promiscuous indulgence at the evening festival!

Is it the duty of honesty? How many ambassadors have thought it their absolute duty to lie freely and heartily!

What crowds of holy men in the middle ages thought it a duty to advance the cause of religion by the invention of fraudulent miracles! And in those times was the mere violation of an oath considered sinful if it had not been made over some saint's relics? Among ourselves is it not the duty of a general to deceive as much as possible his opponent but to be absolutely straightforward with the sovereign or minister under whom he acts? The noble of old would have disgraced himself and his family, would indeed have been false to his most evident duty if he had worked for his living. It was his duty to ride forth in arms to carve out his way to fortune from the spoils of the industrious peasants of other lands.

Where shall we find any one duty which remains the same in all times and in all circumstances! Indeed it seems inconceivable how any philosopher who had the smallest faculty for investigating or comparing facts could have maintained the uniform and inscrutable nature of the sense of duty.

Let any one observe the play of his own motives when the next occasion arises, as it constantly does with us all, when he is uncertain as to the exact nature of his duty. He will find that the trouble invariably springs from a conflict between his own individual sympathies and the average sympathies as expressed in public opinion. Is it right for him to bet upon a race-horse? The question will probably be settled for him in the affirmative if his circle of friends and relatives are racing people. It may be as decidedly settled in the negative if his surroundings are evangelical. But if he is in doubt, there is no law, human or divine, to which he may appeal. If his friends tell him the practice is without evil, his own individual sympathies may declare that it is fraught with harm to many people. If he feels any uncertainty, therefore, it will arise from the conflict of his own sympathies with surrounding opinion. But if his circle of friends have taught him that all forms of gambling are wicked, they must of course have gathered that idea from observing the harm they do to society. Their condemnation expresses the aggregate sympathy in this matter. If the individual fails to see the harm that is done, an almost inevitable conflict arises between the two great sources of the

sense of duty, the inherent sympathy of the individual and the expressed sympathy of the average of society.

For I am now inclined to desist from alluding to authority as an element, seeing how constantly the dictates of authority tend to become only the expression of average belief. The laws of the land are adjusted from time to time to conform to the average feeling, and in their own way the same thing happens to divine laws. We inculcate such parts of the Mosaic laws as we happen to believe in. The great mass we entirely neglect. All about concubines, and slaves, and warfare; about priests, and sacrifices, and circumcision, and temples, we absolutely ignore. We have within the last few centuries dropped our allegiance to the Biblical duty of burning witches or destroying infidels. We select what suits the average sympathies of our times and either drop the rest out of sight or else interpret it in a way convenient to our altered tastes. So, too, with regard to New Testament instructions. What commends itself to our sympathies is enforced as duty. The rest is allowed to lapse. We none of us feel bound to go and sell all that we have and give the price to the poor. We none of us turn the left cheek when the right is stinging with a slap. We none of us think it a duty to take no heed of the morrow. The greatest authority is thus powerless to enforce as a duty that which does not commend itself to the sympathies of the community. On the other hand, thousands of things are now held to be absolute duties which no authority has ever directed save only the authority of public opinion.

The Growth of New Duties.

I shall perhaps conclude this chapter most efficiently by tracing the manner of growth of one or two of these new-born duties. Take, for instance, that sense of duty which now compels each parent to see that his children are taught to read and write. No Biblical law can be adduced, nor until quite recently has any statute law been framed to enforce the duty. Indeed it must be very plain that the sense of duty first grew, and that then the law gave it expression. Five centuries ago

there was no such sense of duty. Why does it now press so strongly and with so considerable a uniformity upon all of us?

The answer must be that for this as for all other duties which are truly moral there is a double play of sympathetic motive; an internal one and an external one. First, that of the individual sympathies, acting in this case on the parental side of a man's nature, and second, that of the community, acting on him by imitation and by the influence of public opinion. Suppose that I am inclined to be lazy or parsimonious and therefore to neglect the education of my children, or that selfishness bids me spend my money otherwise. Parental sympathy interferes, and pictures to me my children suffering all through life from their ignorance. Are they to rank as illiterate boors? Are they to be drudges on the commonest level for want of the education which will give them a chance? Are they to be shut off from all the pleasures which books and newspapers and correspondence can offer? The direct parental sympathy of the individual will not suffer it, and apart from any other motive this is in general sufficient to determine my conduct, and fill me with a sense of duty that will overcome laziness or parsimony or selfishness.

Suppose, however, I am too poorly endowed with parental sympathy to feel it as an overmastering impulse, that though I have some sense of duty in the matter, it is too weak to do the work required of it. Then see how the sympathies of those who surround me reinforce my feeble parental sympathy. All my friends and neighbours express themselves as shocked at my neglect. They lament that the children are going to suffer in the future by reason of my selfishness. Meanwhile the children themselves may be abundantly happy, rolling in the fields in careless idleness; but the sympathies of all my neighbours travel forward to the ignominies, the disabilities, the sufferings of the future. I know that I am condemned. I feel that in every house in the district I am held up to reprobation. What my own individual sympathies have been too feeble to enforce as a duty, the galling consciousness of universal blame will compel me to follow.

Fortunately, matters rarely go to this extremity, for public

opinion has an easier mode of action, through the operation of imitation. The chances are a hundred to one that as each of my children reaches the age of six or seven years, I send it to school or otherwise provide for its education, merely because such is the general usage. And if I analysed my motives I should find that in practice my conduct has been thus determined:—

1. Why have I sent my children to school?

Because everybody else sends his children to school.

2. But why does everybody send his children to school?

Because the general opinion is strongly in favour of sending them to school.

3. But why is this the general opinion?

Because every individual in the main thinks as I do myself that it is cruel to let a child grow up without giving it the chances that education confers.

We thus find that the absolute foundation of this newly-forming sense of duty lies in individual sympathies, while its sanction is gathered from the collective pressure of these individual sympathies acting by way of public opinion.

At what point then does authority step in? Not till the sense of duty is so firmly and strongly formed that public opinion refuses to let any child suffer. Then the individual parent is compelled to comply so that the sympathies of the mass of the community may not be outraged. And thus, so far from the duty being, as in Kant's view, created by the law, it is the duty which creates the law. And if we care to analyse the development among ourselves of all such growing sense of duty as that connected with gambling, with self-improvement, with sanitation, with arbitration instead of warfare, we shall find the same elements and none other involved in the process. But when we carefully examine the foundations of such moral inculcations as those against murder, theft, unchastity, and trace them through primitive forms in savage life or early history we find that the same origin of the sense of duty appears for each. No primitive community ever had a notion that it was wrong to shed human blood. On the contrary it was every man's duty to shed as much of the blood of outside men as ever he could. As for his conduct

within the tribe, it was his duty to wash out an insult in blood and always to return blow for blow.

Races who never grew out of that primitive stage remained feeble, scattered and inconsiderable. So soon as individual sympathies restraining each man from shedding the blood of his neighbour became strong enough to form a body of public opinion which held all in check, a start was made in moral progress which, widening and deepening, can be traced through all the ages as a gathering sense of duty in regard to the sanctity of human life. For in proportion as a people was rich in the sympathies which give rise to that sense, so was it able to knit itself compactly together, and to join its neighbours in conquering alliances. Thus the type controlled by duty prevailed; the type without duty steadily disappeared.

There will always be a certain degree of resemblance in the fundamental notions of duty in all advanced societies, because in their broad outlines the moral ideals which contribute to the progress of one community will be those that are favourable in all. Relationships to children, to wife, to neighbour which are productive of harmonious lives must necessarily have a general uniformity, due to their dependence on the same biologic necessities. Where the sense of duty differs it is in matters of less than primary importance, and in all cases it has relation to the social needs of special times and definite localities. To a cavalier of seventeenth-century England, it was a sacred duty to obey his sovereign; to question no commands, but cheerfully lay down his life for him who bore the divine seal of right. Though the king should slay him, yet must he trust him. This extravagant sense of duty was a feeling of the holiest and deepest kind. It sprang out of the miseries and wickednesses which in so many previous years had wrecked the peace of lands wherein succession had been disputed. Men in England still felt the dread and horror of the Wars of the Roses. As a means of securing harmony, unity, security, the duty of obedience had been taught to generation after generation till it had grown, with many, a part of their inmost moral nature, and even so sturdy a thinker as Hobbes, in his *Leviathan*, utterly shocks our modern feelings by his overstrained teaching of loyalty; but such a man loved

loyalty because it was, under existing conditions, a feeling of kindly influence, that made for peace.

In other circumstances men will develop an equally strong sense of the duty of a manly independence. They will despise those who can cringe as slaves, and who fear to stand forth and demand their rights. Nor can we doubt that many a cavalier and roundhead stood face to face on the field of battle each filled with devotion to his own sense of duty. Yet how different the nature of that sense in the two cases. In the French revolution the sentiments of a Lafayette, a Princess Lamballe or a Danton were utterly different, yet each worked out a true ideal of duty.

Thus we see, as indeed is well known, that conscience, as we call the inward consciousness of duty, so far from being a uniform monitor whose dictates are clear and unaltering, is never more than roughly uniform, and only so in regard to the great fundamental necessities of social life. In all else it is a thing of the most perplexing vagaries.

It is impossible to say of those who in the long ages of the past used their power to persecute the adherents of other faiths that they acted in opposition to their sense of duty. Their consciences absolutely drove them to the performance of atrocities which we now with wholly different consciences regard as inexpressibly wicked. It is certain that many of those who maintained the rightfulness of slavery were good men, and that their consciences approved their opinions. One man's conscience forbids him to enter a theatre; another's, though he may be busy otherwise and regret to spare the time, insists that he should never let a really good piece appear on the stage without taking his wife to see it. One man's conscience smites him if he stays away from church on a single Sunday morning. Another never feels the remotest qualm in staying away; a church being the last place he would think of entering. Our consciences are absolutely indifferent when we sit down to a good piece of beef; but a Hindoo's would suffer agonies. Ours might grieve over an untruth of which he would take little account. An ancient Jew had no moral feeling whatsoever in regard to

the marrying of three or four wives; a modern Jew has a wholly different conscience.

It is absolutely untrue then that a man will always do right when he listens to the voice of his conscience. All we can say is that he will, as a general rule, do what is considered right in his time and community. For his conscience is the mirror of that general belief, and in Germany it will encourage him to take his family out on a Sunday afternoon to hear some good music in the public gardens; while in Scotland it will make him thrill with horror at the thought of such profanity. But the growth of sympathy from age to age tends to produce a greater uniformity in the sense of duty; for it steadily sweeps out what is non-moral or of spurious morality, and leaves only that which kindness and tenderness to all our fellows would dictate; and this is the true morality.

Duty and the Law.

How has it come about then, if the sense of duty is so variable and so dependent on accidents of birth and training, that it is so generally considered to be something absolutely fixed and unchangeable? Even those philosophers whose eyes have been unwillingly opened to the wide variations in special or concrete duties, delight to maintain the transcendental nature at least of the abstract sense of duty. To them this abstract conscience is the primary feature from which are derived all our ideas of special duties; and, according to them, any variations in these ideas are due to corruptions of the original conscience. But as Herbert Spencer most unanswerably shows (*Data of Ethics*, p. 124), the special duties come first in our life experience. We never appeal to the conscience of a six months' baby. We teach it special duties, and, as in all other cases of abstract notions, that child at the end of some years begins to have a general conception of duty which it has derived out of its experience of special duties.

A great part of this mistaken idea of the transcendental nature of duty has arisen from the prevalent erroneous con-

ception of the relation between law and duty. So long as it is considered that it is the law which makes the duty, then it is clear that the sense of duty will take its form from the arbitrary mind of the lawmaker. Whereas in truth the duty first grows up as a consequence of human nature and human needs, and then, as I shall subsequently show, the law steps in as a definite guide for practical conduct. The channel has long been there by which men ought to steer; the laws are but the buoys which make that channel clear and unmistakable for all.

The Apparent Absoluteness of Duty.

Now, lastly, we have to inquire whence comes that feeling of the mysterious and inscrutable origin of our individual sense of duty which we all experience. For though we know very well when we were taught certain special duties, though we know when our views changed about others, though we can indeed trace the genesis of three-fourths of our ideas of practical duty, yet a general sense of an external rightness to which we must yield obedience is a thing that has no such origin in our individual experience. Thus in a high-class mind the sense of duty does in truth assume a distinctly transcendental appearance. To use the words of J. S. Mill (*Utilitarianism*, p. 81), it "assumes that character of absoluteness, that apparent infinity and incommensurability with all other considerations which constitute the distinction between the feeling of right and wrong, and the feeling of ordinary expedience and inexpediency". There are four separate causes for this; three of them arising within the experience of the individual, the other belonging to the antecedent experience of the race.

1. The sense of duty assumes an appearance of inscrutable origin because it arises at a period of which we have no memory. Our remembrance can rarely carry us back with any distinctness to the years before our fifth, and never under any circumstances carry us back at all to our second. But the child who is to grow up dutiful goes through momentous experiences before that age. It finds that its will is curbed

and checked on all hands; that its own individual and internal motives are subject at all times to reversal or modification by the action of external motives such as imitation, love of praise, fear of blame, or dread of punishment. Thus, long before the dawn of memory, the sense has grown up of responsibility to an external standard which, therefore, assumes all the instinctive appearance characteristic of other qualities acquired in the pre-memorial period, such as the capacity of grasping accurately, of walking with due balance, of making the exact sound with our vocal chords that we wish to make.

2. The action of habit has made the sense of duty automatic. For everything which has passed by habit into the mere operation of a reflex action tends to become mysterious. Observe an expert musician seated in careless mood before a piano; while he laughs and chats his fingers easily execute the bars of complicated music. The falling of certain groups of black signs upon the retina of his eyes sets his fingers at work in corresponding motions, and not only is his reading at sight a marvel to us, it is a mystery to himself. He could not explain how he does it, and if his musical training had begun very early so that he had been able to read at sight fairly well before the age of five, he would have a strong sensation as if the faculty had been born with him; it would appear an innate inspiration. So when a man speaks the truth as a matter of habit dating from the years antecedent to memory; when he shrinks at the utterance of vulgar, profane, or indecent words, he believes himself actuated by an innate sense of right and wrong, whereas it has all been only a matter of training, though modified by the action of the fourth cause shortly to be specified.

3. The feeling that our standards of conduct are outside of ourselves grows with the experience we have of life in society. Just as no one can live in a world of three dimensions without acquiring a feeling of the infinity of space, as no one can employ a single language for twenty years without gathering at least a vague impression that the thing and its name are somehow connected, so it comes to pass that a lifetime passed with constant experience of the necessary submission of our wills to outside influences gives to that

experience an appearance of inevitableness which raises it distinctly to a transcendental level. For instance, a person has been accustomed all his life to go to church twice every Sunday. The habit has become part of his nature. A deep sense of uneasiness would harass him if he ventured on taking a walk in the fields on a Sunday morning. Under these circumstances, the duty of going to church will gather the appearance of an eternal obligation unconnected with opinions and circumstances. From the earliest consciousness of childhood the individual has seen the household, in the Sabbath hush, array themselves in due attire and solemnly wend towards the church. Such an experience, having no remembered beginning, no break in continuity; being enforced by the utmost weight of surrounding opinion, assumes that inevitable and eternal aspect of which I speak. Yet that aspect is entirely subjective. For if the same individual had been brought up in a family which never attended church, his conscience would speak to him in utterly different fashion. The idea would never cross his mind that upon that day he was under any obligation whatsoever to spend any portion of his time in a church.

But to all of us, so long as we live in society, there are some points—indeed there are many points—upon which we are so solidly agreed that this impression of the transcendental nature of duty gathers a peculiar weight. For instance, the habit of being clad according to the conventional standard of our time and country causes the growth of this instinctive sense of duty. It begins in unremembered infancy; it is unbroken ; it is enforced most stringently by opinion. Hence it becomes absolutely engrained in our nature, and we all of us have a feeling as if the sense of modesty was born with us, and that it has some high and holy sanction external to ourselves. Yet there is nothing more certain than that the amount of clothing we wear and the particular form in which it is fashioned are wholly dependent on custom. That is to say, society has drifted into those forms of attire for both sexes, for the young, for distinction of rank and profession, which have seemed on the aggregate of considerations most comfortable and most efficient. Public opinion sets these up

as a standard, and in its own way compels obedience. The habit of obedience becomes a second nature, and it is thus practically impossible for the average man to walk out on the public streets in costume which would be elegant and modest for a woman. A male costume for men and a female costume for women seem as if among the most definite, unalterable and absolute provisions of nature itself. Yet we know that it is a mere matter of convention.

4. In the case of moral ideals that are less fluctuating, and by their uniformity and fundamental nature have gathered fresh weight and compulsiveness from the process of the centuries, the phenomena of inheritance give them no little foundation of a truly instinctive character. For in their case the dictates of the public opinion around us find an approving echo in our own inherited natures. The voices of a far-off past are subtly swelling within us. Even as the first wholly unremembered years of our lives leave a record none the less indelible, so that a melody then often heard but since forgotten may wake at a chord or two impressions of mysterious power suggestive of pre-natal experience, so does the childhood of the race dwell unknown to us in the nerves of each. Thus does it come that those of us who have never killed an animal for sport in our lives can rarely see a rabbit peep out from a bush or a rat from a corner without a sudden momentary flash of murderous impulse. But the same subtle power lives within us for kindness as for destruction, and a full measure of this gives the individual an instinctive predisposition to moral conduct. Though it is true that all children require, in some measure, to be taught the habit of truth, yet there are many so tender and affectionate by nature that they easily learn to feel a lie as a wrong done, an injury inflicted. On such a child the habit of truth is easily impressed, and exercises throughout life a peculiar power; whilst a child of coarser fibre and by nature less susceptible to fine emotional impulses will be taught with difficulty to be truthful, and will always throughout life find the selfish instincts at war with acquired habits of veracity.

Now in the case of all truly moral duties, this instinctive play of inner emotions is in unison with the external play of

public opinion, which has settled us into special habits. And thus the sense of duty, which is not congenital, becomes allied with the sense of sympathy, which is. Considering, then, the immense control acquired by non-moral duties without this alliance, such as dressing reasonably well, eating our food like other people, or keeping our houses cleanly, it is by no means rash to conclude that, with the powerful aid of instinctive sympathies, the truly moral duties will gather a sanction of peculiarly mysterious control. A man feels that he cannot wantonly hurt an animal; firstly, because his own instincts are against it; secondly, because he was taught not to do so in earliest childhood; thirdly, because he has always been in the habit of treating animals well; and, fourthly, because public opinion, in which he joins, condemns all cruelty. The kind treatment of animals is with him a matter of course, quite as inevitable as his sleeping or eating at stated intervals. He is under the control of a duty which has become automatic. If he were to act otherwise the vengeance of an outraged sympathy, the uneasy sense of an abruptly broken habit, whose date is immemorial, and the expected lash of general disapprobation, would combine to form what he would call remorse. And this to him would have the appearance of the still small voice of conscience, an inner monitor seemingly absolute and eternal, though really dependent first on the emotional capacity of the individual, and secondly on the emotional capacity of surrounding individuals.

Locke puts in a forcible way one part of this true origin of the sense of duty (i., iii., 22): "It may readily come to pass that doctrines derived from no better authority than the superstition of an old woman may nevertheless grow up to the dignity of principles in morality. Yet such as are careful to principle children well, instil into the as yet unprejudiced understanding those doctrines they would have them retain and profess. These being still as they grow up confirmed to them either by the open profession or tacit consent of all they have to do with, or at least by those of whose wisdom and knowledge they have an opinion, who never suffer these propositions to be otherwise mentioned but as the basis on which they build their religion and manners, come by these means

to have the reputation of unquestionable, self-evident and innate truths."

We have only to join this undoubted influence of education with the inherited tendency to sympathy which underlies all moral duty, to see how the idea has arisen of duty as something superlatively great and mysterious. It has already been shown that when duty has but the one sanction with no share of the other, when it depends only on education and deference to public opinion, without any real basis of sympathy, it becomes a heartless and unlovely thing. This formal duty it was against which Jesus and Buddha inveighed. But what a true nobility envelops the character wherein the warm impulses of sympathetic feeling are steadied and rendered weightier by the orderly influence of a sense of duty. Both, unfortunately, may fail. The emotions of the individual may be foolish or inadequate. The average emotions of the community, which determine the nature of duty, may be marked by countless imperfections and crudities. But the moral type most highly appreciated in a people will occur where the individual emotions of kindliness are under the control of a sense of duty founded on emotions not too far above the average to win the approbation of that particular period of that particular people.

Fortunately both of these elements grow together. For as the sympathy of the average individual, which should be the actuating power, increases by reason of causes already discussed, so must the general sympathy increase, so must public opinion reach a higher level, and so must the standard of duty rise. Thus we see in history that the average capacity of sympathy is ever slowly augmenting, and that, in consequence, the standard of duty is as steadily improving. In other words, the moral instinct in man is from century to century in process of development.

CHAPTER XVI.

SELF-RESPECT.

Duty an External, Self-Respect an Internal Control.

Morality is invested with a new dignity and a most complete controlling power when it ceases to be wholly dependent on the fitful play of emotion or on any externally imposed standard of duty; but possesses as well that higher appeal which lies to an inward sense of self-respect, disdaining the mean, the base, the cruel, not alone because injurious to others, and attended by the condemnation of others, but because of the scorn of self which would follow. Herein the fundamental elements are still the same as before, but they are operative in a manner that makes them more searchingly effective. For the moralities of the three stages mark their ascending grades according as they are the simple natural morality of sympathy; or the morality which, though essentially of the same character, is steadied by the sense of duty; or that in which the sense of duty has acquired a new and penetrative influence by its conversion in part into a sense of self-respect.

Take, for example, the case of honesty. Why does a certain man refuse, against his own material advantage, to utter a lie? He may be only a kindly-hearted man whose sympathy forbids him to profit by hurting another with deception. This is the first stage of morality. But in the second stage his morality has a stronger backbone in it when the sense of duty converts this voluntary principle of action into one rendered compulsory by habitual compliance with an external standard. He cannot lie because all the teachings of friends whom he loved, of authorities whom he revered have

forbidden him to lie; because he would quiver with pain to be found out in a lie, and so be disgraced in the esteem of those around him. To a man who has both sympathy and a sense of duty, truth will be an unbroken habit. Yet a loftier nature may act from a principle which will give to that habit of truth a certain nobility, raising it utterly out of the realm of the expedient into a region of serene uprightness. Such a man will feel himself unable to lie, because falsehood is a thing which he scorns. He disdains to weigh in the matter any other question. If it is a thing in itself mean and despicable it is wholly inadmissible. Thus self-respect, though it has no new morality to teach, enforces the old with a peculiar absoluteness and absence of compromise. The sense of duty makes a man desire the commendation of the good; but the sense of self-respect makes him desire to be wholly worthy of that commendation.

The sense of duty has its origin in the pressure of some external criticism of our actions. What will our friends, our rulers, our deity think of our deeds? From the habit of asking ourselves that question arises this controlling sense. But the time arrives in the development of a noble type when the individual becomes himself a spectator and critic of his own conduct. At first it is only a reflected image he perceives, and he gathers a notion of himself from the feelings and expressions of those around him. As he judges of his person by what he sees in his mirror, so he judges of his own character by what he reads in people's looks and expressions. It is a thing of good promise when a young person after a few words of kindly warning or sharp reproof sets to work to think over his own character, and try to see it as it appears to others. When by this reflective process an introspective analysis has begun, there is generally much hope of subsequent amelioration. The conceited youth must first perceive his conceit; the frivolous girl must first be conscious of her frivolity; the rude child must first see the ugliness of its rudeness before any reformation can begin that is not merely external. And if we learn to acquiesce more or less in the judgments which other people form of our actions, we begin to anticipate their criticism by judging ourselves beforehand;

when, as a rule, we shape our conduct so as to avoid their strictures.

This process of judging others and standing up to receive their judgment is a most valuable part of the machinery of moral progress. The gospel maxim, "Judge not that ye be not judged," is of very limited value. It is no doubt intended to apply only to harsh judgment, to scandal and malice generally, but as it stands it is manifestly false. If, in a city council, one alderman refuses to judge the evil done by another so that the evil done by himself may go unchallenged, we call it corruption. If an author refuses to say unpleasant truths about another author in order that no unpleasant criticisms may be passed on his own work, we regard the motive as sordid. Great in the ordinary intercourse of life is the value of interchanging criticisms; and to all, we may offer the useful maxim, that so long as our criticism is untainted with the slightest tincture of malice or unkindly intention, we ought to judge others, and with respect receive their judgment. This is the chief of the artificial factors of progress.

But the individual who has been long subject to the play of external criticism and who has long exercised a free right of criticising others is absolutely certain, if his intelligence is moderately developed, to become a critic of himself, of his own conduct and of his own work. There are undoubtedly many people who blame in others faults which are conspicuous in themselves. But this is rarely possible to a man of sense. And in youth a wise training will compel to introspective comparisons. Suppose that a boy is ridiculing another boy for getting up so late in the morning, he may find food for reflection in the remark: "Indeed, you are yourself not easily roused in reasonable time". The small girl who is relating a little piece of ill-temper on the part of a friend, is perhaps reminded of something of the same sort that occurred in her own recent conduct. But, indeed, throughout our lives, either friendly or hostile care will turn our own critical words against ourselves, and the wise man will often take a glance at his own conduct to see if those faults are there which he condemns in others.

In his *Theory of Moral Sentiments* (part iii., chap. i.) Adam Smith incidentally alludes to this habitual process of introspection as the origin of self-respect; and in another passage he tells us that "the principle by which we naturally either approve or disapprove of our own conduct seems to be altogether the same with that by which we exercise the like judgments concerning the conduct of other people". First of all, the unceasing play of external criticism makes us watchful of ourselves, and careful of the guise in which we appear to others. But, to a just mind, much more important is the second part of the process. If he is accustomed to judge the conduct of others, he learns to apply the same rules to himself. And if his character has any degree of nobility in it, he judges his own conduct with more severity than ever he judges that of others. For he knows his own motives, while he can only imperfectly guess at those of others. He deals with his own conduct in its entirety. That of other people he can understand only in fragments. He is well aware that while he frequently misunderstands even those who are nearest and dearest to him, he never misunderstands himself. He, therefore, is able to condemn his own weaknesses with a freedom and certainty he cannot apply to the foibles of other people. Of course I am here not speaking of petty minds, to whom, indeed, this whole region of moral sanction is little known. To them the faults of others are excellent subjects for scandal and condemnation; their own are hidden by impenetrable mists of self-love. But in proportion as a mind is exalted, so will its self-criticism be severe and searching. It may go too far and become morbid, interfering with a healthful instinct of reasonable self-assertion. But in a well-balanced temper, self-examination of a half-unconscious kind produces a very high tone of morality.

In the case of a man of high intelligence and delicate susceptibilities, of all the critics who watch and weigh his conduct the severest is himself. We see this constantly in such cases as that of professional self-respect. The artist whose picture has been the success of the season may turn away with disdain from all the murmured applause as he grows satisfied in his own mind that the work is essentially meretricious. If

he be a true artist with lofty aspirations, his canvas never meets a critic more unsparing than himself. Supposing a wealthy advertising manufacturer were to offer a great poet £1000 to insert in his next work a single line that will puff a certain ware. Now if the poet were badly in want of the money and felt certain not only that the line could be introduced so as to look quite spontaneous, but also that none would ever know the secret of its origin; why should he refuse? Because if he knew of another poet who did so mercenary a thing, he would despise him. If a single line in that which he feels should have a high and holy mission assumed the character of a sham and an imposition his respect for the perpetrator would instinctively fall. But even more would his respect for himself be impaired by such a meanness; and, to a mind such as we are supposing, that loss would be the keenest of all losses.

But it is not merely in the fine arts and in famous works that this feature is seen. Every high-minded man who takes a pride in his calling has the same feeling of sacred respect for his work. I remember how a wheelwright once repaired for me the wheels of a vehicle. The work was approved and paid for. Yet the first time the vehicle passed the shop I saw the artisan come to the door and watch with keenly critical eyes the running of those wheels. He sent me a message that he would like to overhaul one of them if the vehicle could be returned to him. For myself I was amply satisfied, but the work was a wound to his professional self-respect and he cheerfully spent some hours in the labour of bringing it up to a satisfactory standard. This is a temper we should vainly look for in the bulk of mankind; but it pervades the loftier-minded minority in all ranks.

It is a feature which has something in it always of heroic, and generally, therefore, even though sprung from mere professional pride, it appeals to our moral sense. When his ship has been wrecked and the people are being got ashore, why does the captain stand upon the bridge till the end, though well aware that the last must inevitably be drowned? He might easily save himself, and if he thinks of his wife and little ones ashore, he has a strong and worthy motive for self-

preservation. But he descends into the tumultuous breakers. Why? Because, if any other captain in such a case abused his authority by saving his own life while there were still the lives of others to be saved, he would look on such a man with eyes of professional disdain. And now, as a reasonable and right-souled man, he judges himself by the same measure, and would rather die than become a scorn to his own future judgment.

Quasi-Moral Self-Respect.

But though in a majority of cases the action of self-respect is truly moral, it often enough assumes only a quasi-moral aspect; it is not seldom worse than that, for it is pseudo-moral. At other times it is merely non-moral, and too often it is warped so as to have a distinctly immoral tendency. Self-respect in this latter case becomes what we call "false pride," as when a man refuses to acknowledge a mistake, or when he would rather not invite an old friend to dine with him unless he could provide a handsome repast; or when he would rather not subscribe at all to a good object if he were unable to make his cheque equal to that of his neighbours. Self-respect gives rise to merely non-moral checks when it forbids a judge to ride third-class if it so chance that he can ill afford the first-class fare; or when it prevents a bishop on a frosty morning from joining in the boys' game of leap-frog whereto he feels strongly inclined for the purpose of warming his limbs. Its action is pseudo-moral when it tempts the man whose daughter has been ruined to drive her from his home and blot out her name thenceforth from the family. Its action is pseudo-moral when it bids the widow spend in mourning garments that money which the family sorely needs for food. In these and similar cases it is harmful by throwing in the weight of its influence so as to accent the lesser or only apparent matters of duty and obscure the weightier or more real.

But self-respect in its quasi-moral aspect, though never worthy of much admiration, is often of great practical use. If a workman is active and does a full day's work only

because he would hate to be reproved by his employer, his motive is most certainly a kind of self-respect. The man with no such feeling would, so long as he had his pay and was sure of not being dismissed, listen with merely a grin to his employer's severest reproaches. Yet the self-respect of the former is much inferior to that of the man who needs no rebuke of employer or any other to impel him to industry. His actions stand to be judged by that *alter ego* which would send him home in the evening with a sense of degradation if he had made a pretence of working but had really idled. For if he is a man who is disgusted at shams in others, if he resents being cheated and imposed upon in his dealings with his fellows, he will learn instinctively to look upon his own actions as he would on those of others; and a sense of fairness, which is essentially sympathetic, will utterly condemn him if he treats his employers in such a way as he would himself dislike in the conduct of others. This man's self-respect forbids that he should ever appear, to his own eyes, so mean a creature as those men seem who work while their employer is looking, and dawdle when his back is turned. His motive, then, is truly moral; but in the other case, wherein his self-respect thinks only of humiliation before others and not of humiliation before his own judgment, we shall call it quasi-moral; for, so far as it goes, it is a perfectly efficient substitute for the nobler sentiment.

As another instance, let us imagine that a man is resolutely struggling to pay his debts. If his motive is that he may stand honourably forth in his own eyes as one who has paid to every man all that he owed, we may regard his self-respect as of a truly moral type. But if it is merely because he hates the humiliation of being an insolvent; if his mental attitude is only this—"Oh, no! you won't catch me in the Bankruptcy Court, I would rather die first," then we may call it quasi-moral, for its utility is almost as great for purposes of practical right conduct. But it wants the lofty character of the nobler form of self-respect.

Nor even for practical purposes is it quite as efficient; for the morality that is based upon the resolution to be true to our own better selves has a greatness, a spaciousness, a com-

pleteness that no other morality can approach. For no other moral sanction can so keenly probe into the shadiest corners of our minds, and ferret out the lurking meannesses of motive. Supreme then over our most secret lives, it has power to stifle wrong that no other check could influence. Suppose, for instance, that a wealthy friend lent me some money in my necessity, taking no receipt for it, the kindness being known only to him and to me. Suppose that he dies, what motive have I for repaying that debt to the widow? Sympathy? But she is so wealthy that this small sum, though so much to me, is to her quite insignificant. Nor will the law affect me, for there is no law directing me to pay money that is not asked for. Thus for those whose notion of duty is confined to the law and the influence of surrounding opinion there is no motive compelling repayment. He who pays must do so, because if he knew of any one else who meanly said nothing of the matter and let it lapse, he would feel contempt for so base a character, and he detests the thought of standing before his own eyes in so despicable a light.

It is, of course, inadmissible to assume that he is controlled by the consciousness of an all-seeing eye of divine power. Firstly, because abundance of men in ancient times who had no such consciousness were amongst the most noted for a sense of noble self-respect. Secondly, because there are now amongst the most conspicuously upright men, great numbers who have no sense, such as Milton had, of standing "ever in a great Taskmaster's eye". And, thirdly, because those who have had, and still have, that belief, have varied so radically in their views of what divine power demanded of them, that we are forced to regard these views as only the externalisation of their own inner sense of rectitude. In fact it is now well understood that the conception of the Deity has been ever rising and progressing, keeping pace with men's moral improvement, and, therefore, we perceive that the very best we can do, is only to invest that conception with the noblest attributes we find within our own minds. It is thus much less true that an immutable Divine nature has been imprinted on our minds than that we have projected our best but mutable conceptions out into the heavens.

Among ourselves, one man bows before a mean and sordid conception of God, and works out the petty thoughts therewith connected. Another has a belief in a belligerent and partial God, and addresses his prayers for a victory to which he must necessarily trample through blood. Another bows in fear before the Omnipotent avenger, and yet another before a mildly indulgent father. But in all cases, the moral sanction we derive in our innermost selves from a belief in the all-seeing eye of a Deity is only the best conception of duty that we have been able to absorb from the feeling of our time and country. As members of the community, we learn to judge others by that standard of duty; and then, if our natures are fine enough to permit of it, we learn to judge our own actions by the same standard. Self-respect is thus the inward application of an outwardly prevalent mode of thinking, and the character of the Deity looms up before us in accordance with this our best ideal.

The True Sanction of Self-Respect.

Take a few examples in which there can be no mistake whatsoever as to the source of this self-respect which is the inner arbiter of our conduct. Suppose a lady is to spend a whole day at home by herself, with no chance of being seen by any one; will she take the trouble to dress herself tidily, or will she spend the day in slatternly fashion? It will all depend on her sense of self-respect. If that is strong, though she may not dress as if to receive company, yet will she comply with a certain standard of neatness. And wherefore? Because an all-seeing eye is over her? Surely not. But because she has grown accustomed to think meanly of women whom she saw in unseemly neglect of their persons, and though she will not, at any part of the day, move in the gaze of others, yet she will all day long move full in her own gaze; whether mirror be there or not, she sees herself, and would detest to seem in her own eyes such as the denizens of slums or dirty cottages have seemed.

Now, then, transfer the example into one more distinctly

moral. A man of gentlemanly instincts is left alone in a library. He has his choice, if he pleases, of amusing himself with books of an impure and sensuous tone. He looks into them, and turns away to duller and less spicy reading. Not from the pressure of any law nor of public opinion; both are inoperative; nor in general would he think of any Omniscient eye. But he has a poor opinion of those who at dinner parties retail indecent jokes; he despises those who rush for prurient newspaper reports; he honours and respects the cleanly soul. Mindful, therefore, that in the future he must stand up to be judged by his own inner self, he would wish his conduct to appear such as shall cause no pang of shame. His action, nevertheless, will be entirely founded on the ideas which early training and habitual surroundings have impressed on a mind of his degree of susceptibility to sympathy.

For in sympathy this conduct finds its ultimate basis. The man of true kindness of nature would shrink instinctively from that which would wrong a woman, or by hurting her modesty leave her a prey to her own remorse and the scorn of her associates; he would equally shrink from all pleasures that are built upon woman's degradation. Such innate sympathies have been educated by contact with the pure women of his home and the lessons of parents, teachers and poets, in which he has learned to look with strong disapprobation upon all that would debase his idea of woman.

There is no foundation of any sort for the view maintained by Kant and Green and Sidgwick, with so many others, that this inward sense is innate—a supernatural, mysterious and unfailing judge of conduct. On the contrary, what society praises, the individual will in general learn to praise, and what he praises in others he will commend in himself. Those things that have had in all ages and in all races a tolerably uniform consensus of approbation will thereby come to possess a peculiar weight and sanction; and while the individual is unconscious of the multitude of sources from which he has derived his opinion, yet the sense of self-respect, the standard by which he will judge his own conduct, must be an absorption from the surroundings in which he lives.

That this is the case is clear from the infinite vagaries of

the sense of self-respect. None can deny that quality in high degree to Plato and Aristotle; yet to neither of them did a reasonable indulgence in libertine pleasure seem at all inconsistent with that self-respect. Cato the Censor was peculiarly gifted with this quality, yet it in no way reproached him for selling the slaves grown old in his service, and it eventually impelled him to suicide. Cicero was a man of high self-respect, yet for a sufficient fee he would take a huge pride in securing the acquittal of a criminal of the deepest dye. His professional self-respect would have been wounded by failure, and he had no other self-respect in the matter. There was a time when if a man of a high sense of honour were struck, he would have felt absolutely bound by every feeling of self-respect to wash out the insult in the blood of the assailant. Among the Jews and scores of other people a loss of self-respect weighed upon the woman who reached maturity without finding a husband. Among ourselves many women would feel themselves degraded if they accepted a husband without being induced thereto by a most undoubted call of love and devotion. Montaigne tells us that in the time of his father the great ladies in France felt a loss of self-respect when they could secure no lovers in addition to their husbands, for it appeared in public estimation as a slight upon their charms. The lady who sails through the ballroom in pride at the admiration won by her beautiful neck and bosom, would feel a deep wound to her self-respect if on her way to a bathroom next morning she were caught by a man in equal exposure.

But if we run through all the list of the varying ideas of decency among women of different races, for instance through those given by Oscar Peschel (*Races of Man*, p. 172), we see that matters which we conceive to be most innately essential to the sense of self-respect are of the utmost variability. One man would feel his self-respect increased if he had picked your pocket with great dexterity. Another would feel himself unutterably degraded if he picked your pocket, but would be immensely satisfied with himself if he got the better of you in a bargain; whilst a third would feel himself mean and despicable if he tried to overreach you in any transaction. So we may run on through endless instances,

the mental attitude being absolutely and wholly dependent on the sympathetic capacity of the individual and on the influence of surrounding opinion. You may educate a child to place some portion of his self-respect in any idea you please to choose, and if all the society he habitually keeps has this view, such a sense will grow to be of great strength, while if it is that entertained by the whole of the society with which he ever comes in contact, its influence may be absolutely dominant.

Self-Respect Progressive with Time.

It is thus very clear that the only progress which is possible in the standard of self-respect must arise from a progress in sympathy. For it is only when the sympathy of the individual is touched that he will set himself in opposition to current opinion. But if the sympathy of the average individual is affected in a certain way, the influence of general opinion will be affected in the same way. It follows, then, that at each little stage of progress which makes the emotions of men tenderer and more susceptible, the standard of self-respect will alter in such a direction as will make the conduct of each individual on the whole more gratifying to the mass of his fellows.

But we have already seen that, as a matter of historic fact, this sympathetic enrichment has gone on in the general capacity of mankind; races which have it not, disappear steadily before those that have. Hence we should expect to find the sense of self-respect also an increasing quantity, as indeed it is. We may often find a savage highly endowed with that feeling; but the average savage, the Fuegian who whines, as Darwin describes, the never-ceasing word, "Give, give"; the Australian who in the very earliest times would abjectly beg for tobacco, or meanly steal the shepherd's rations or sell his wife's embraces for money; the North American, not haranguing or romancing as in Fenimore Cooper, but seen in the dirt and obsequiousness of ordinary life, is not rich in the sense of personal dignity. He makes a poor comparison with Maori or Malagasy or Malay. These in their turn must yield

to the educated Chinese or Japanese, while, on the other hand, it is very noticeable that the German, the Frenchman, the Englishman who goes to China or Japan carries with him a personal weight which is due to the superior dignity of his general bearing. Surround the oriental monarch with all his insignia, and he is still a man of less dignity than the European ambassador who approaches his throne in simple guise but erect with the consciousness of all that is due to himself and to his people.

We see the same gradations in all ranks of society. The humblest may have many individuals of much personal dignity, but in general, all additions of education and of position are so many pledges of careful conduct. They make the individual more watchful of himself and of the appearance he presents first to the world and then in consequence to himself.

And the same alteration is seen in history. The average man would now be ashamed to conduct himself at meals as our forefathers did some centuries ago; he would shrink with a sense of personal pollution at many of their uncleanly and unseemly ways. Follow the lines of the sovereigns of England or of France and see how self-restraint increases with the centuries, and how, along with diminishing frippery of trapping and external state, along with an ever-augmenting personal simplicity, there is visible a most evident development of "self-reverence, self-knowledge, self-control".

This increasing sense of self-respect constantly tends to add a new and important sanction to the cause of morality; one which, as already shown, has the peculiar power of searching into the innermost motives of the heart. Yet it adds nothing new to the nature of morality. For just as the sense of duty only gives fixity and continuity to the fundamental morality of sympathy, so does the sense of self-respect only extend inwardly and intensify the action of the sense of duty. But when all three are in alliance, how noble is the resulting type! The man who utterly refrains from wilful harm to any of his fellows; who, where his own emotions are in doubt, turns to the law of duty framed for him by the opinions of those he respects; yet who, if these are unavailable or undecided, has his final appeal to the tribunal of self-respect.

"Could I do this thing," he asks, "and thereafter hold up my head erect before my self with consciousness of rectitude?" And if the answer be adverse he thinks no more of it but lets it go.

Yet it is to be noticed that the order of supremacy is the reverse of that just given. The sense of self-respect must not be the supreme arbiter. Society would fall to pieces if each man were a law unto himself. Self-respect must yield to the superior cogency of duty. But duty itself must yield to the superior cogency of sympathy. If I am a private soldier it is my strict duty to obey my officer's command. But if his command is that I should put the muzzle of my musket to an old woman's head and blow her brains out, I am justified in refusing and undergoing any consequent punishment rather than obey. It is my duty not to kill a fellow-creature even if a lunatic; but if I saw a lunatic on board ship approaching a barrel of gunpowder with a lighted match, I should be justified, if no other possible way of safety presented itself, in raising my gun and shooting him dead on the spot.

It may be said in reply that the saving of the lives of all in the ship is merely a higher duty, and that the higher duty overrides the lower. But of course this is precisely the view I am now maintaining. For what is it that makes the one duty higher than the other? Merely that it rests on a more cogent sympathy. Sympathy forbids me to shoot dead a poor lunatic; but a higher sympathy forbids me to give him an odd chance of saving his life at the gravest risk of losing not only his own but that of a whole ship's company.

Thus sympathy is paramount. Duty is a most useful accessory; self-respect a transformation of duty which lends a peculiar and most efficacious assistance. "But the greatest of these is charity," says the apostle in a passage wherein it is clear that by charity is meant a sympathetic kindness. And the subtlest analysis of morals in a properly experimental spirit, as distinguished from the delightful but illusory moonshine of the transcendentalists, reveals as the true foundation of all that is right, the wise exercise of the quality which the apostle considered as the greatest of all the graces.

But though the noble feeling of self-respect neither adds

any new element to morality nor forms the paramount arbiter in conduct, its presence in a character is none the less the most satisfactory evidence of a high moral development. As George Sand declares in her *Secrétaire Intime*, "the sentiment of self-respect is the surest guarantee against every form of depravity".

Sublime among men is he who can walk up the scaffold steps to his ignoble doom, undismayed by hoots and jeers, calm and erect in the approbation of his own soul. Even so noble is he who through a life-time can move on upon the path which his inner sense of self-respect marks out. For him there is no stumbling-block in the little meannesses that are sanctioned by usage, nor any pitfall in wrong that can never be revealed. Though not praised, yet content if worthy of praise; though not successful, yet happy if success has honestly and manfully been deserved, he moves ever girt with the dignity of a nature that can stand unabashed before that inward judge, never to be bribed, never to be hoodwinked, which pronounces upon each deed and every thought:—

> Who, whether praise of him must walk the earth
> For ever, and to noble deeds give birth,
> Or, he must fall to sleep without his fame,
> And leave a dead unprofitable name,
> Finds comfort in himself, and in his cause.

CHAPTER XVII.

THE BEAUTY OF RIGHT CONDUCT.

Moral Ideals.

Yet another stage, and the moral instinct culminates in devotion to goodness for its own sweet sake. Then does a man love purity because it is pure, and honesty because it is honest. He seeks no reason for his allegiance outside of the nature of the thing itself. He feels that to do right is right, and seeks no other guidance.

There are thus four levels of ascending worth, but of diminishing extensiveness, in the motives of right conduct; each is more admirable than the last, but effective over a lessened area of mankind. This last is the loftiest of all, but it appeals only to those choicer souls who in general form but a slender minority of existing communities. Many are they who are capable of being honest because dishonesty is an injury to a fellow; a less number are honest because honesty is a duty (apart, of course, from the quasi-moral fear of punishment to be hereafter discussed). Fewer still are they who are honest because they would scorn to smirch themselves with baseness, and who dread the remorse of seeming mean in their own eyes. But very few indeed are they who are honest with no thought of any consequence, near or remote, external or entirely within themselves; who love to dwell with honesty as they love to inhabit a region of exquisite beauty, or to linger amid the fairest creations of genius, solely because these are in themselves delightful.

The man who feels a throb of enthusiasm leap within him as the turn of a road reveals a sweet prospect of hill and lake, and the far-off mists of spacious fields and woodlands; who,

as a symphony melts at some tenderly mysterious resolution of chords, thrills in waves of emotion; or who, as he reads some glorious passage of sublimest poetry, may be seen with heightened colour and with kindling eye, is likely enough to carry into the domain of morals the same æsthetic sensibility. As an artist may devote his life to the passionate worship of the beautiful, disdainful of all mercenary interests, so may any soul of fine susceptibilities yield itself up to the charm that seems inherent in purity and sincerity.

A woman may be chaste for one or more of several motives; there may be merely the homely commonplace reason that she would be sorry to bring trouble and dissension into the family circle; or she may bow before the dictates of a sense of duty long taught and ever enforced; or she may have too high a sense of self-respect ever to compromise herself in such a way as to incur her own disapprobation. But higher, much holier than all of these is the feeling of the innate loveliness of chastity, so that the virtuous woman prizes it for its own sake above all treasures. No material wealth can compensate her for its loss. She who has it is truly rich; she who has it not seems poor and pitiable, even though every luxury that boundless means can supply were heaped for her daily gratification.

To such a nature there never occurs the question of results. It is not that a modest life and pure thoughts bring respect and love; it is not even the hope of an approving conscience,

> And the sweet peace that goodness bosoms ever.

For although it be true that purity and sincerity offer the most delicate, yet most lasting happiness that earth can offer, yet is this no part of her motive. Though virtue should mean strife against every friend, or though it were certain to bring the inward unhappiness of a struggle against a misplaced passion, yet would virtue be the chosen path. If the choice were to be wanton and live to share a throne, or to be inexorably chaste and die within the hour, still would the choice be virtue, whose own inherent beauty has awakened a devotion with which nought else can cope. This consecration of moral beauty such as Milton calls in his *Comus*,

> The sublime notion and high mystery
> And serious doctrine of virginity,

is that fourth and highest phase of the moral instinct which is here to be discussed. It applies with special force to the ideals of purity and honesty ; we all give our assent to Pope's famous line—

> An honest man's the noblest work of God,

thereby acquiescing in the admiration of honesty as a divinely noble attribute, one of those qualities to be cultivated at all expense, like the choicest flowers of the garden, for no other reason but their own gracious aspect. Yet every moral, or semi-moral quality, may assume more or less of this exalted aspect. The good housewife delights in cleanliness because it is lovely. She gives no thought to the question as to whether the pleasure it affords may be a reasonable equivalent for the labour it involves. Very probably it does in truth give her pleasure. For while it is true

> That that which is not good is not delicious
> To a well-governed and wise appetite,

it is also true that what is right always gives some measure of inward joy. It is very often to be doubted whether the pleasure so derived is an adequate equivalent for the sacrifice of gaining it. Yet that is never the question when this higher aspect of morals is operative. To the youth filled with an exquisite taste and passionate enthusiasm for music it is useless to portray the poverty-stricken career, the disappointments, the heart-burnings, the unrealised ideals of the musician's life; though the youth knows full well that the balance of happiness will be against him, yet must he yield to the devotion that impels him. Still, as in Longfellow's fable, will the ardent soul mount higher, though the height mean death.

This transcendental aspect of an enthusiasm so independent of all circumstances of ordinary self-interest lends to morality, when it reaches this level, a certain mysterious grandeur which makes us think of it as something too pure to be of earthly origin. As the youth whose heart is elated

with the first warm dream of love cannot bear to think of it as being even distantly connected with that instinct of mating which reigns through the animal world, so when our souls are full of an ethic glow, when love of truth and purity and beneficence makes us thrill at the aspect of a serene ideal, we are most unwilling to acknowledge that it is of purely mundane origin.

And to any one who has a tender sympathy with the sweet illusive dreams of the finer part of humanity, it is ungrateful work to seek in any way to shatter the charming belief. Yet this very devotion to moral beauty itself must urge us on. For if we be filled with the sense of devotion to the ideal, come what may, we shall prefer the rugged truth to the most delightful of falsehoods. If this belief in the beauty of right conduct as being an eternal and changeless guide, which has had no mortal growth, be only a pardonable error, then no right-minded man will wish to cherish the delusion.

All Ideals are of Earthly Origin.

Now there are three separate lines of unanswerable argument which at once and inevitably overthrow the transcendental view of the moral ideal. For, firstly, were it true, then this extra-mundane ideal would be something independent of time and place. The dream of right in good men's minds would be something absolute, a standard permanent and unvarying. Yet, as already remarked, there is nothing so utterly inconstant. The ideal of King Solomon could not have been the ideal of George Washington. The intervening 3000 years had wholly transformed the nature of a good man's aspirations. What was right and what wrong in marriage, in war, in government, in slavery, in worship, and in display had undergone the most radical alterations in the interval.

But in our own day also, the ideals of good men differ. A Catholic priest has one ideal of chastity, the Protestant clergyman, with his cherished wife and family, has a wholly divergent ideal; the devout Moslem with his four wives to whom he is

true and faithful has yet another. All our most cherished ideals are held in diverse fashion by the good men of different people. And among ourselves they are always in a state of slow transition.

Secondly, we have seen in antecedent chapters how our moral ideals have steadily grown. From savage to barbarian, from civilised to cultured man, we have seen the notions of chastity, of charity, of truth and freedom in process of development. Each of them has been seen to spring up, as a phase of that sympathy which more and more in the progress of man has displayed itself as the prime element in social preservation.

Thirdly, however transcendental may appear the beauty of ideal morality, the enthusiasm it evokes is closely paralleled by other enthusiasms of whose earthly origin there can be no remotest doubt. There are few pursuits in which men take an absorbing interest which do not to ardent souls present very much the same power of awaking unaccountably fervent emotions. The artist before the mysterious loveliness of a mountain sunrise; the poet in the rustling canopies of a solemn forest, each feels as if his delight in beauty were due to a faculty of no earthly source. But if that were the case, we must allow as much to the expert gymnast who, from the time when some master of extraordinary power has grasped the horizontal bar to the end of his evolutions, watches with only half-drawn breath and absolutely rapt attention. Listen to his outburst of ecstatic applause and observe his zeal and you will see that a fine performance of this sort can wake his soul to the same sort of rapture as a musician feels in an exquisitely rendered sonata. Observe the veteran chess-player when two champions are developing unknown beauties in an elegant game; see how the military enthusiast is carried away as he reads of a most brilliant manœuvre which brought about the utter destruction of an army. Observe the mechanician when his mind grasps the central idea of an intricate piece of machinery; to him there is an exquisite beauty in a new and ingenious invention. If you were walking by a river bank with a man who in early days had been a rowing enthusiast, and should chance to see a first-rate

crew sweep past on a final practice, you would see how a mere sport can move a man's soul to its most secret depths. So, too, a quondam boxing amateur, if he sees two champion pugilists strip for the contest, may make a perfect spectacle of himself in his hoarse-voiced enthusiasm. Some with horses and others with angling; some with flowers and others with wine; some with cookery and others with ballet-dancing, absolutely endless are the departments of human interest in which a man may experience an enthusiasm which absorbs all his faculties and carries him out of himself.

It is fatal, therefore, to the transcendental theory of moral beauty that there is a complete gradation of such enthusiasms. Some are for things base and unworthy in themselves, as the Dyak ideal of head-hunting, or as in the case of a man I know by name who gave a bachelor dinner party to celebrate his twentieth seduction. Others of these enthusiasms are concerned with things which a considerable proportion of men would regard as, in some degree, unworthy; for instance pugilism, ballet-dancing or warfare. Others are concerned with matters that are indifferent with regard to approbation or disapprobation, such as the enthusiasms for chess or cricket, for angling or for poultry-breeding. There are others again which enjoy a mild flavour of moral approbation, such as the gardener's zeal for flowers, or the mechanician's joy in inventions. Then we pass by degrees into the realms wherein our calm judgment yields its praise to the pursuit as one in itself worthy to wake the noblest fervour; such as that of the poet or the musician. Finally there are those moral enthusiasms which most profoundly move our admiration, so that we should rather desire that one we loved should be a good man than an excellent poet; so that we should have no satisfaction in a brother who was a sublime painter but a despicable liar.

Now in this ascending scale it is to be noticed that in proportion to the beneficial influence of an enthusiasm is the degree of general approbation. That which promotes most highly the truest happiness of mankind is valued above all others. But in this respect there is no enthusiasm which can compare with that of moral beauty. None can be more deeply

useful nor more generally felt than the enthusiasm for truth which will give to all men absolute reliance on the statement or the promise of a man; none more useful than the enthusiasm for beneficence which bids us assist and oblige all who surround us.

When a man of ardent nature is not only filled with an instinctive love of a certain sort of beauty, but feels likewise that his zeal carries with it the admiration of all men far and wide, his ideal becomes overmastering. A musician who for the first time secures the score of some mighty composition will become absorbed, forget his meals, and grow oblivious to time and space. As he drinks in the meaning of the spots and tails, the modulations and all the technical and artistic significance of the dirty old manuscript, no Elysium can compare with his raptures. Think of the joy of a Keats when first he dipped into the *Faery Queen*, or caught a deep full breath of Homer's inspiration through the voice of Chapman.

We thus see that the æsthetic glow of moral enthusiasm is nothing individual and apart from all things else. It is merely that by reason of the greater importance of its sanctions and the wider generality of the approbation it brings, it gives to the character a peculiar dignity which nothing else can quite approach.

Yet this, of course, in no way accounts for the origin of this enthusiasm for moral beauty; it shows, however, that most probably it is in its development analogous to other enthusiasms. But all enthusiasms are fundamentally dependent on the pleasure to be derived from an object or pursuit. The man who finds a deep pleasure in contemplating an example of unswerving fidelity such as that of Regulus, or feels his soul kindle at the purity of an Imogen, has within him the enthusiasms of the moral ideal. It is an extreme pleasure to watch the operations of goodness in a character; it is most painful to observe the slow development of evil. If in poem or drama or story we ever take interest in wickedness it is with the expectation of a pleasure in seeing it meet its due reward, but the contemplation of beneficence is always agreeable.

A little consideration, therefore, will show that the origin of the æsthetic pleasures of morality must be sought in the causes which have developed the sense of pleasure in general. This question has in many places been admirably discussed by Herbert Spencer, and to me his views seem in the main incontrovertible. Yet I would desire here briefly to deal with it after my own fashion in so far as it touches on the source of the pleasure which we feel in beholding goodness.

Origin of the Sense of Beauty.

The sense of beauty is a department of the more general sense of pleasure which has two roots, one of primary importance, in the experience of the race; and one, of much less consequence, in the experience of the individual. If every person at first trial enjoys eating a ripe peach, that must be by reason of inherited tendencies sprung from race experiences; but many persons who at first cannot endure a banana come to be fond of it after a time. This is a capacity for pleasure acquired in the experience of the individual. Both will be found to play a part in the development of the æsthetic pleasure of morality.

Dealing first of all with the more important element, let us inquire why the sweetness of sugar is pleasant. But as a preliminary we must ask the paradoxical question whether we eat sugar because it is sweet, or whether it is sweet because we eat it. So far as the experience of the individual goes, the former statement expresses the truth; he eats the sugar because it is sweet. But the far more fundamental truth is that sugar is sweet because men must eat it. Of the three forms in which food is assimilated in our systems, sugar is not the least important. All our food stuffs which are neither proteids nor fats must be either sugars or else starches which are first converted into sugars in order to be dissolved and absorbed.

Sugar is therefore the first and most easily assimilated of our three fundamental forms of food; and in the state of nature sugar is mainly attainable in the form of ripe fruits. In the history of man's progenitors, therefore, it was of ex-

treme importance that he should be able to pick out nutritious fruits from those unsuitable to be his food. Those who wasted their efforts in chewing pine-cones or eucalyptus berries would have but a poor chance in comparison with those whom a safe instinct of taste led to the wild peach or the grape. Moreover, all fruits pass through a stage in which an innutritious woody fibre prevails ; not until this has changed into the form of sugar is it suited for men's food. It is plain, therefore, that if a certain sensation of taste could induce the individual to pass over the unripe fruit and pick only the ripe, it would yield a material assistance as a means of preservation. A sensation which is a sufficient motive for us to wish its continuance is called pleasant ; one which itself induces us to seek its cessation is called unpleasant. Great advantage must therefore have been derived when the organism became so adapted that the taste of a ripe fruit tempted the eater to go on and finish it, while the taste of one unripe made him throw it away. Still it happens among ourselves that individuals not well equipped with this discrimination die out ; quite a small army of children, and even of adults, perish each year through eating green fruit ; whereas an inclination for really well ripened fruit is so useful to the system that we may readily conceive of those who have it, as being on the average rather longer than others in the duration of their lives.

But what is this compared with the culling-out process among primeval man, before intelligence came to reinforce the teachings of instincts, and all our present variety of food became possible ? The savage who eats a quantity of green or indigestible fruit because it is near his camp will never survive, as he does who is willing to wander a few miles out in search of other fruit that will be truly ripe and sweet. But long before man appeared at all upon the scene, the organisms of his predecessors had become so adapted that the sensations of the palate were at once the motive to exertion and the means of discriminating between the safe and the unsafe.

There is nothing inherently pleasant in sweetness, nor anything inherently unpleasant in bitterness. It is merely that in proportion as an organism became adapted to seek

the repetition of tastes connected with the nutritious and to avoid those connected with the innutritious, so did it tend to survive. There would be for ever, therefore, the weeding out of individuals less qualified to be moved by a stimulus of this sort. And so it comes that things are sweet to us because we need them for food; although, so far as the individual is concerned, he being born with his organism tuned by long ages of preparation, seems to eat a thing only because it is sweet.

But to different animals the same pleasurable sensation comes from widely different substances. I kept for a couple of years a marsupial, the koala, which never would taste fruit, bread, sugar, biscuit, or water; once or twice a little milk was accepted, but otherwise its diet was exclusively eucalyptus leaves; and in the morning, when it heard the click of the gate which announced to it my return with a bundle of tender green gum-tree branches it manifested every indication of delight. Every organ in the animal, even the very milk it secretes for its young, is powerfully scented with eucalyptus oil. Strange to say, though cow or sheep is absolutely starving it will never so much as touch these leaves, which are so delightful a morsel to a few marsupials. But the whole experience of diet among animals proves conclusively that things are not pleasant in themselves, but that organisms survive only on condition of being so adapted as to find pleasure in that nourishment which is within reach.

No change whatsoever need be made in analysing the source of the pleasures of smell. But in regard to hearing, though the principle is the same, the application is different. Darwin has long ago shown that voice is one of the most potent of sexual charms. In the wide expanse of forest that once covered the dry land of earth, the call of bird or mammal must have greatly facilitated the mating of the pairs, and still among mankind the voice is a potent spell in producing the mysterious thrill of love. A full rich woman's voice awakes a response in the innermost nature. Not less to woman is the power of a deep bass voice, whispering tenderly in her ear in an evening stillness; the meaning of the words has no more inwardly bewitching power than the tones in

which they are uttered; and the organism so tuned will take, in more general circumstances, something of the same pleasure in the music of young affection's converse.

How silver sweet sound lovers' tongues by night.

Thus in part has arisen the sense of the pleasure we feel in certain sorts of sounds. But there has been one other contributory cause, the influence of long habit in making sensations agreeable. The man to whom cod-liver oil or quinine has been prescribed finds the taste at first disagreeable. But the individual organism adapts itself to continued impressions, especially if they are beneficial to the organism. He who visits a guano vessel holds his nose and escapes, but those who have sailed in one for a year or two and made it their home express rather a liking for the odour. So with sound. The man who goes to dwell in a house by the ocean beach is disturbed by the never-ending roll of the surf; its hoarse monotony is painful; but if he lives there for twenty years he will probably long, when he leaves it, to have the soothing sound of the waters again in his ears. The countryman who goes into the great city is distracted by the ceaseless clatter of traffic; to the city man it is pleasant, and while he can stand for a change the silence of the country during a week or two, he has quite a longing to be back once more amid the familiar rumble.

There is nothing more certain than this fact, that the organism does adapt itself to its surrounding circumstances. The man who leaves a cold climate to dwell in a warm one is at first much incommoded. But after twelve or fifteen years of the new conditions, if he returns to his native land, he feels as if the warmth he had left behind would be most grateful. You visit a bachelor who tells you that of all things in the world he is unable to endure, the worst is the clatter and chatter of children. You visit him ten years later, to find him delighting in the noisy sports of his little family. Initiated by slow degrees, custom has grown second nature.

Transmitted Capacities of Pleasure.

We cannot directly apply this principle to the experience

of the race without assuming the transmission of acquired characteristics, a matter under discussion and on the whole improbable. But indirectly it is applicable, for he who finds the greatest pleasure in all of nature that surrounds him must lead on the whole the most healthful life. One of those organisms to which every cock-crow is torture and the rustle of the wind in the trees is absolutely distressing, is likely to lead a peevish life, and fail utterly to compete with him who finds a healthful satisfaction, a reason for brightness and contentment, in everything around him. So it will come that the ear attuned to the sounds of nature will have a slowly-creeping tendency to propagate itself and supplant that which is less in accord. Thus the hearing of man becomes the gateway whereby all sounds of nature find entrance for an influence of mysterious charm. The rustle of spring leaves, the falling of streams, the cadences of birds, the tones of the human voice, have all grown beautiful by reason of habit in the race.

But it is in the pleasures of sight that we find this genesis of the feeling of beauty most evident. The sky never became blue to please our eyes, but our eyes have grown adapted to find pleasure in the blue of the skies. All forms and colours give a natural and fundamental delight in proportion to their frequency in the experience of the race. Only in some things is novelty tolerated, and that generally but for a time. A scarlet sky would be utterly wearisome to us, because our eyes are tuned to the mild stimulus of the smaller and gentler undulations of a soft blue-grey; so huge a mass of the larger and coarser undulations of scarlet would yield a painful impression to our unaccustomed eyes. The green of sunlit grass in early spring time is inexpressibly tender and refreshing to our eyes, but that is no quality of the colour itself. It is only because the human eye has learnt to find a healthy joy in its dwelling-place. So in the cool greys and purples of shady spots, and in the mysterious gradations of brown on tree trunk and in withered leaves and bare earth, the eye finds its own delights; as for those more striking colours, such as crimson and orange and peacock blue, we love to see them in smaller quantities in places where custom has

made them familiar to our eyes, in the spots formed by gorgeous blossoms, or in the evanescent richness of sunset.

So, too, with the forms of nature. The shapes of clouds seem exquisite and the contour of the trees a deep delight; the limbs of mammals and the necks of birds, with all classes of curves and proportions that have been familiar to man from his primeval experience, these find in our natures a mysterious response, because an age-long habit of the mammal eye has made us susceptible to their influences. But even more potent in the genesis of our notions of visual beauty have been the influences of sexual emotion. If the voice is provocative of amatory feeling, much more so is the sight. A race of men too cold to be readily moved by sweet lines of woman's cheek and chin and neck, or by the curves of her bosom or her limbs, is in a fair way of slowly vanishing to leave room for more impressionable races. Thus in the course of ages a seemingly mysterious response in the man's nature gives rise to an ideal of female beauty.

On the other hand, the maiden who too curiously weighed the pains and cares of maternity, or too greatly valued the caresses of the home circle, or too proudly resolved to maintain her freedom, would be numbered with the vestals and bequeath no share of that idiosyncrasy. But she on whom the sidelong glance at brawny limbs, and flowing beard and commanding features exercised a magnet power, would leave all, and give up her most cherished pursuits in obedience to that one master impulse. Hers would be the children and the grandchildren, and at every generation this mysterious power of an ideal of manly handsomeness would be emphasised.

But, as Darwin long since pointed out, hereditary qualities undergo some degree of inter-crossing as they are transferred from mother to daughter, from father to son. The son may inherit some share of his mother's tendency to look with satisfaction on a tall and well-made man, while the daughter may, in lessened degree, inherit her father's susceptibility to the influence of female form and movement. Thus there arises in mankind generally a double type of beauty. The sound of a woman's voice becomes typical of all that is most exquisite to the ear; not necessarily that the sound

in itself is truly so; but that in the nature of things we ourselves are bound to have been so developed as to feel it so. The type of dignity and vigour is in similar fashion derived from the influence which man's appearance has upon the female heart. In our most artistic imaginings men and women remain ever the highest ideals of beauty; no long poem or lengthened tale could win a great esteem if it confined itself solely to the beauties of nature or to descriptions from which a human interest was absent; that is, in which beauty of either one or other of these types most potent over our minds was entirely unrepresented.

In all mythologies these two forms of beauty build up the highest ideals, nor has the noblest of religions ever got beyond them. Its fondest imaginings have never yet presented an image that is not compounded of earthly elements, for aught else would find no responsive chord within our natures. Our eyes respond to light and its charms of colour, our ears to sound, and both senses to the influence of female grace and of manly strength. Put us into a world of new orders of beauty, no matter though intrinsically higher; it could have no more response from us than a glowing sunset from a blind man. A jelly-fish placed in a most tasteful drawing-room, a cow introduced to a noble concert, a Hottentot invited to make free use of a magnificent library would not be more oblivious to the delights within reach than we should be to any beauty not strictly analogous to those of this world for which alone our minds have acquired susceptibility.

It is very possible, indeed, that this earth contains many forms of beauty utterly unknown to us because we have acquired no faculty of perceiving them. They have perhaps been unconnected with any of our needs of sustenance or propagation; and, being indifferent, our organisms have never learnt to respond to them any more than a worm's to light, a fish's to melody, or a hen's to sound logic. It is highly improbable that our poor six senses, more truly only three, and even these, mere ramifications of a fundamental one, should measure all the capacities which nature has of acting upon a sentient being. The world may be full of potentialities of delight,

which are as nothing to us, whose organisms have never needed their stimulus to preserve ourselves or our race.

Every pleasure then, that we experience, implies a sensation which, having been always beneficial, we are inclined to continue or to repeat, because our organisms have as a necessary preservative quality become adapted to respond to them in that way. The more ancient the date of the beginning of that adaptation, the more deeply and mysteriously implanted is the capacity of emotion that is connected therewith. Strange yearnings fill the soul at the deep rustle of the forest, unaccountable impulses at the sight of clear waters through which the light glimmers up from a sandy or pebbly bottom. Those instincts of beauty to which the poet so constantly appeals are often somewhat latent; and, when they are at a touch awakened, they leave us the impression of echoes from a far-off experience, as indeed essentially they are, echoes of the time when our race spent all its life in the open air, echoes vaguely recorded, perhaps, in our nerve adaptations from the time when man's progenitors dwelt in forest or sea-margin.

The essential feature of it all is this, that objects have not been made pleasant to suit our senses, but that our senses have so developed in a pre-existent order of things as to find a pleasure in everything, first of all that was healthful and useful, and secondly in everything that was necessarily habitual. For only thus could an organism derive the fullest possible vigour from its surroundings; and in the stern struggle of many births, but few survivals, those alone perpetuated their species whose natures were most healthfully, that is, the most happily responsive to beneficial or habitual stimuli.

Sympathy has Grown to be an Ideal.

If we apply these general principles to the question on hand we must perceive that sympathy, as a quality so very beneficial and so widely habitual, must have grown pleasant, a thing not only agreeable to feel in ourselves but delightful to witness in others. The mother who lavishes her tender love upon her infant must feel a joy in it; for that is a prime condition of the fullest and most beneficial exercise of her

maternal care. Women who look upon the happy pair, the mother overflowing with fondness, the babe responsive with trustful devotion, feel their hearts melt at the sight, for they inherit a nervous frame mysteriously susceptible to the same influences. Even bearded men feel a sense of pleasure at the scene, for they too are bound by ties of inheritance with the maternal instinct. Their nerves respond in lesser degree to the same stimulus of sight and hearing. Hence there arises a general feeling of the inherent beauty of parental and of filial love. Thus in the crowded theatre, when the mourning mother recognises the strawberry mark on the arm of her long lost child and the two cast themselves tumultuously into each other's arms, there is a burst of rapturous applause that informs us with deafening emphasis how deep in the heart of man lies the sense of a moral beauty in the parental relation. This enthusiasm in finer minds acquires a character of perfect holiness. Many a man in elderly years holds in his heart of hearts a touching image of his mother; how these early days with all their kisses, caresses and songs, her loving fingers that tucked in at evening the clothes round curly hair and dimpled chin, or buttoned the top-coat when with a kiss the little fellow was sent away to morning school, how every experience of that constant flow of love helps to form a shrine too hallowed to be opened to the vulgar gaze. And when we read the biography of a great man wherein some glimpse gives brief revelation of these deep and sacred feelings in another mind, we are all conscious of the thrill that rises at the sight of something exquisitely beautiful.

But if parental love has this deepest and most potent character of beauty, scarcely at all behind it comes the conjugal sympathy. Half the stock-in-trade of poet, dramatist, and novelist would be gone were we not all conscious of an exquisite pleasure in witnessing the ideal of youthful love, pure, ardent and devoted. It is not merely that we are happy in the happiness of others; it is not merely that

> If Heaven a draught of heavenly pleasure spare,
> One cordial in this melancholy vale,
> 'Tis when a youthful, loving, modest pair
> In other's arms breathe out the tender tale,
> Beneath the milk-white thorn that scents the evening gale.

It is not alone that we sympathise with joy, but that to us there is a beauty in the scene itself. The love of Romeo and Juliet was most unhappy, yet to our eyes it seems most bewitchingly beautiful. For it is a primary and necessary instinct of our race that round the early period of mating, there should gather impulses of pleasure and hope.

So, too, there is beauty in the social sympathies. It is a charming sight to see brothers and sisters dwelling together in mutual affection and helpfulness; an ugly sensation to find among them quarrels and ill-feeling. Yet if we ask, is there any inherent reason in the nature of things why the one should be beautiful and the other disagreeable? we can only answer that since family union has for countless generations been beneficial, ministering to the happiness of the individual, and to the strength of the family, so that by its aid the individual has the fullest opportunity of personal development, and the family the greatest chance of spreading, it was absolutely inevitable that ideas of pleasure should gather round the sight of family affection.

On a wider scale, the same reasoning applies to patriotism, to hospitality, to philanthropy. They all seem beautiful, because, being useful to the health and vigour of the race, our systems have grown adapted to find pleasure in the exercise of them or in their contemplation.

Thus the same natural process which has made it a pleasure to bask in the sunshine or to walk briskly in the face of a fresh breeze has made it also a pleasure to look into the nest and see its charming display of parental affection, or to witness the care of the bird for its wounded mate. The pleasure in the former cases seems more easily explicable, being more immediately connected with bodily sensations. In the latter it is more mysterious, being of an emotional character, but in the concluding chapters of this book I propose to show that there is no inherent difference; that all emotional conditions are due to changes of the central as distinguished from the peripheral nervous system.

In the meantime we are not concerned with the physiological basis of the pleasure. It is enough to show that around an experience so vital and so habitual to the race as

that of sympathy an instinct of pleasure has arisen, and that this is strong and deep. When, in the children's reading-book, there is the story of kindness shown by dog, or elephant, or horse, it awakens their young enthusiasm; and in the numberless picture-books provided in these days for the little folks, the authors are generally astute enough to work freely upon this fundamental instinct. They can rely on finding it in its simplest and least sophisticated state; and so, the heart of the childish reader is awakened to tender but pleasurable emotions by the aspect of all manner of sympathetic relationships.

Hence Comes the Moral Ideal.

Having seen therefore how it comes that sympathy seems beautiful in itself, a thing to be loved in others and cherished in ourselves, we can easily understand the origin of the moral ideal in its most general form. The man whose nature is readily susceptible to this sort of beauty will regard it as an ugly thing to deceive a neighbour by telling him a lie, or to injure a customer by giving him short weight. Hence a mysterious sense of the innate loveliness of honesty will be that man's highest motive in conduct; and that motive will seem to be unconditioned. It will seem to depend on the nature of the conduct itself, and not on its possible or probable results. So we come to forget the utility of maternal affection, of conjugal fidelity, of patience and kindliness, because our organisms have so grown through long past centuries as to be adapted for finding pleasure in the contemplation of these qualities.

I have already spoken of a certain differentiation in the sexual developments of the ideal of physical beauty which, to our eyes, reach their noblest height in the grace of woman, the vigour of man. Precisely the same culmination occurs in the ideal of moral beauty; there are two types, not mutually exclusive, however, but blending and overlapping; one is the womanly type of gentleness, sweetness and soft pity; all that is good through incapacity to injure, and through an innate yearning to give happiness; the other is the manly

type with scorn of all that is cringing, and an uncompromising defiance of all that is false or tyrannical. Each of these types has been attractive to the other; the maiden after her first interview goes home to dream of the man of courage, of liberality, of magnanimity, who is filled with a proud disdain of anything so cowardly as a lie, absolutely fearless in devotion and honour. How she would like to have such a one to be her protector through life; and so there rises what we may call the ideal of masculine moral beauty.

The ideal that is most attractive to men is quite different; for whilst the female form has become his standard of physical beauty, the female disposition has become his standard of moral grace. Attractive though the charm may be of soft curves and delicate tints, still more attractive are pure thoughts, gentle words and kindly ways. It is useless for poet or novelist to present to us for our love and interest a heroine of mere personal beauty; there are certain qualities of soul that we all instinctively desire to see in her.

A daughter must inherit some of her father's way of judging women, and a son some of his mother's mode of appreciating men. Hence the masculine and feminine types of moral beauty are very far from being sharp and distinct. The noblest type of man is as gentle as a woman; the most admirable woman is as fearlessly truthful as a man. Yet the difference is pronounced. If a girl should suddenly see her affianced lover in a thundering passion it would probably not greatly influence her feeling, because not incompatible with her ideal of man the protector. But if the lover saw his betrothed maiden in a similar fit of anger, the engagement would probably soon cool off; such an exhibition would be utterly at variance with the prevailing ideal of woman, the sweet and gentle.

Thus we have seen that the exercise of sympathy was sure to grow lovely in the eyes of man, and that a process of sexual selection has intensified the feeling and caused a very evident, though not sharply defined, divergence to arise between the female and the male type of moral excellence. The picture of a man thrusting a spear into the enemy of his country is not discordant with the popular ideal of the

admirable man; but one of a woman engaged in the same action would be little short of disgusting. The woman who makes love to a man excites our aversion, while no such feeling attaches to the man who makes love to a woman. In scores of instances, it may be seen that what is right for the one sex is wrong for the other.

The operation of natural selection has been to endow the quality of sympathy with an aspect of ideal beauty, while sexual selection has enhanced and intensified this quality of beauty, and so differentiated it that two types—the gracious and the noble—rise out of a common foundation of moral goodness. These have been processes of the race, and leave us with inherited ideals.

But within the experience of the individual also there is much, as I have already shown, which fosters or thwarts the growth of ideals, and which may become so closely incorporated with his nature as to seem an essential part of himself. The boy born into the family of a fox-hunting squire may perhaps develop from other circumstances the ideal of a student life; but the chances are ten to one that his ideal man is gifted with courage to ride and skill to manage a horse, to jump well, shoot well, bestow a lordly alms and maintain the dignity of the name amongst villagers and tradespeople; his ideal may even include an appreciation of a good glass of beer or of wine, and a discriminating taste in the matter of cigars. Indeed a little upper-class objurgation may add a flavour to what his surroundings have impressed on him as the highest ideal of a man. How different the ideal of a lad born, let us fancy, into the family of a German musician, his earliest recollections bound up with music as the only worthy pursuit of life, all the friends of the household bringing with them at nearly every visit their instruments, the conversation at every meal-time being praise of this performance and condemnation of that. In such an atmosphere the ideal man will be essentially different from that of the English squire's son.

So we find that from nation to nation, from profession to profession, from rank to rank, the circumstances amid which the individual is placed will radically affect the nature of his

ideal. And it is to be noticed that these differences are not merely skin-deep; they are profound and frequently unalterable impressions. The girl brought up in a strictly virtuous family will have an ideal of modesty wholly different from what it would have been had she been trained as a courtesan for a Hindoo or Greek temple, or had she been an orphan girl rescued by a Roman speculator and educated so as to win fame and influence by her venal charms, or had she been born to grace the court of Henri Quatre.

In the main the experience of the individual ought, as a matter of evolutionary trend, to be such as will foster worthy ideals of truth and honesty, chastity and sobriety. But the mass of men are not capable of any pronounced enthusiasms which are not connected with the primal sympathies. Most women would die for their children; most men would risk their lives if dishonour threatened their wives; huge impulses of patriotic enthusiasm will swell up and make a nation sacrifice its lives by the hundred thousand. These, however, are based on the wider sanctions of moral feelings already discussed, upon natural sympathy, upon duty which is a product of the play of sympathy, and at the highest upon self-respect.

But there is required what is known as the idealist temperament before one can find in the simple beauty of right conduct his chief motive for following it. This ideal will depend, as I have just shown, partly upon inherited instinct and partly upon acquired tastes; but it becomes in the best of men and women the highest of all motives, not by reason of its results, but by reason of itself, just as Aristotle long ago declared (*Ethics*, ix., 9), "The good take delight in actions that are according to virtue, just as the musician is pleased with a beautiful melody". In his lofty estimate "virtue is more lovely, more worthy of our admiration, than is the morning star".

What the beauty of human face or of nature's vistas is to the artist; what the beauty of sweet thought and cadenced footfall of words to the poet; what the beauty of newly-discovered truth to astronomer or chemist, such is the beauty of right conduct to the pure woman and the

man of noble aspirations, a something to which life may worthily be devoted, more to be sought than all other objects of human desire, that which alone can make all other possessions a true happiness, yet in itself also a thing of exquisite delight.

CHAPTER XVIII.

RESPONSIBILITY.

Scientific Necessitarianism.

I have enumerated, in the order of their occurrence, the elements of the truly moral instinct; but in the practical affairs of life a very large proportion of right conduct is based on what I have called quasi-moral motives. In true morality we find our motives within us; in quasi-morality we feel only the pressure of external motives. In the one case, it is sufficient if we perceive a thing to be right, then of necessity it must be done; in the other we find no inclination to the act arising within us on the mere perception of its rightness; we must be bribed by some expected satisfaction or deterred by some dreaded penalty. If I see a fellow-creature staggering along beneath a burden too heavy for him to bear, I may put forth my hand to help him from any one, or any combination of the truly moral motives already discussed, I may sympathise with him and as a natural impulse render him assistance; or I may help by reason of an inward sense of duty; or it may be only that if I passed him by, I should feel myself mean and contemptible to walk on in ease with nothing while another was being killed with too much; or I may offer help because there is a charm about kindliness and self-sacrifice whose aspect kindles emotions such as wake at sight of tender sunset or unfolding rose-bud, of graceful girlhood or infant slumbers. In all these cases the act has no motive except such as is internal to the agent.

But where only quasi-moral motives are in operation, I offer my assistance in hopes of the praise I shall get for my kindness, or possibly of some material reward; or I am

actuated by the fear of blame or of downright odium or actual punishment if a fellow-creature should suffer from his labours and I should have passed him by unheeding. The cynical view, however, is by no means true, that ascribes to this less worthy class of motives the larger share of the right conduct of practical life. If we all worked for our families not out of parental affection, but only for fear of the police, how poor would be our households! If we all treated our wives with kindness only for fear of law-courts or even of scandal-bearing tongues, our homes would have little of the happiness which fortunately is common. If the merchant forbore to cheat only by reason of the gaol, then every business relation would grow suspicious, over-reaching in small matters, utterly corrupt with lies and infested by all manner of such dishonesty as the law must fail to reach. Now, though there is enough of this to justify occasional bursts of bitterness, and send the business man home in the evening disgusted with the conduct of some whom he has met during the day, yet it must be allowed that the larger half of the straightforward transactions which occur in business life are founded not on fear of punishment, but on the character of the person who acts.

I know that there are many people who take a very much more pessimistic view of life, who maintain that nearly every merchant would cheat if he could; that nearly every servant would lie and rob if she might do so with impunity; that nearly every tradesman will, if he gets the chance, scamp his work and charge an extortionate price. It has not been my experience of life. On the contrary, I should be inclined to say that the larger half of the business transactions of a modern city are intrinsically honourable; that only the smaller half of domestic servants make any practice of cheating their employers when they have the chance; that at least one half of the tradesmen we employ take a reasonable pride in making a good job, and would feel ashamed to render an exorbitant bill.

But our estimate of the proportion in which truly moral, and only quasi-moral motives are efficient in securing the practical right conduct of everyday life is one that must be

left to personal experience and personal temperament. The only fact that now concerns us is that there is this diversity of motive; and that whatever be their relative amounts, the part which the quasi-moral motives play in securing the general order and happiness of a community is too important to be neglected. Moreover, the quasi-moral conduct blends in the most subtle and imperceptible manner into that which is truly moral, so that it is hopeless to think of securing a true analysis of the moral instinct as it actually exists among mankind without some consideration of the operation of these less truly moral causes.

Quasi-morality depends, first of all, upon the sense of responsibility, and then upon the sense of legal compulsion. To the former I shall devote this chapter, and in the next three I shall enter into a more lengthy discussion of the historic growth of our ideas of law.

The question of responsibility is one which, for its own sake, is well worthy of consideration, because at the present time the public mind is becoming somewhat distracted by the intrusion of a scientific doctrine of necessity into the common-sense belief in free-will. We cannot, without wilful perversity, shut our eyes to the fact that, in every domain, the dependence of effects upon definite causes is being demonstrated. Ethics perhaps form the last region which science is thus conquering; the bulk of men still think it equally possible for all persons to be good. But several sciences are steadily conspiring to show that character is dependent on circumstances over which the individual has no control. Just as a person must have a black skin if his father and mother were both negroes, and a skin intermediate if one parent was white and one black, so, it is beginning to be recognised, must his temper be purely or partly of the negro type according as both or only one of his parents was of African race.

The facts of heredity in character have long been patent; it has long been seen that if father and mother are both mean, dishonourable people it is useless to expect that the children will be of honourable type; it has been for ages expected of the son of noble parents that he should be above the average in nobility. But even idiosyncrasies of character

have long been seen to be hereditary. Cassius excuses himself—

> Have you not love enough to bear with me
> When that rash humour which my mother gave me
> Makes me forgetful?

And yet the public mind has until lately been but little moved out of its belief in the existence of a free-will in man to choose the good and to shun the evil. Though a necessitarian philosophy has been thrust upon it by the multitudinous facts of life, it has clung, and properly clung, to its faith in a practical free-will. I propose to show that it is absolutely right in doing so; that while the doctrine of necessity is philosophically unimpeachable, the doctrine of free-will is perfectly justifiable, and has its own absolutely essential part to play in the practical affairs of life.

Physiology has, for a long time past, very definitely abandoned all belief in any truly spontaneous action. Waller, the author of one of the most authoritative of recent text-books, thus sums up the scientific position (*Human Physiology*, p. 295): "We all believe our voluntary actions to be spontaneous, and freely chosen in spite of exciting impulses. Objectively viewed in the conduct of living beings, as it unfolds itself before us, voluntary action appears as a highly disguised and complicated form of reflex action, with its casual excitations more or less deeply buried in the past history of the individual or of his ancestors."

Suppose that an iron ball lay on a billiard table surrounded by several electro-magnets; while the batteries were shut off it would lie perfectly at rest. If now, an ignorant person were looking on while an operator suddenly turned on the currents, he would imagine the iron ball to be filled not only with some sort of life but with a certain will power. For so often as the ball was put down it would run now to this one, and now to that one of the magnets; not always to the one that was nearest, for one farther off might be of sufficiently greater power to determine the motion to itself. Yet this ball which seems to choose, is only actuated by external attractions, and the path along which it moves is determined by the resultant of all the forces which act upon it.

So, to ourselves, we seem to exercise a faculty of choice, but nothing could be more subtly fallacious. Our conduct is the resultant of the attractions of external motives. Does this then leave no share in the process to our internal natures? By no means. It makes a very great difference in the case of the magnets whether the ball be of iron or of copper or of glass. For what is an attractive power to one thing is none whatsoever to another. The analogy would be more complete if, instead of making all our attractive agents of one class, they were all different, so that the effect of each upon one sort of ball would be different from the effect of any other. Then it is plain that the nature of the effect will very much depend upon the nature of the moving ball.

So with our minds: according to their character is the attractive power upon them of any particular class of motive. In one man, sensual pleasure will form a motive outweighing all others; in another, though that motive is strong, ambition and the love of power may form an attraction powerful enough to overcome it. A third man may have both of these in considerable strength, yet on his mind the approbation of his fellow-men acts with greatly preponderating power. A fourth is of such a disposition that the sight of suffering moves him to its alleviation with a force that no other motive power can withstand. Now as a multiplicity of motives always surround us in social life, it follows that conduct is more dependent on the capacity of the mind to be actuated by a particular motive than on the nature of the motives themselves. A pith ball that is absolutely oblivious to the most powerful electro-magnet will rush madly towards a weakly charged electrophorus. So in human conduct the dominating factor is the degree of affinity which exists between the internal nature and the external motives.

It is plain therefore that as no man can make his own external motives, he can have no sort of free-will unless he can make his own internal nature. But this is a thing entirely independent of his own control, depending on (1) heredity, (2) physiological circumstances, (3) social circumstances.

The most important of these is heredity. No amount of choosing will make a man able to write a "Hamlet" or a

"Faust". He may be most anxious to do so, but if born without the ability his anxiety is fruitless. So, too, it would be preposterous to expect in a Fuegian girl that moral tone which would characterise the finest type of womanhood in Europe. Birth will, in large measure, determine among ourselves whether our disposition will be prone to idealism in morality, or to a lofty self-respect, or to the daily round of unquestioning duty, or to mere impulses of sympathy as natural occasions arise; or whether it will have no morality at all save such as the law and the policeman compel; or whether possibly it may have not even that sordid description. Havelock Ellis in his work on *The Criminal* (chap. iii.) sums up the absolutely conclusive evidence long gathered by labourers in the field of criminal anthropology, to show that "the criminal parent tends to produce a criminal child".

The facts of course point only to a tendency; for there is nothing more intricate than the study of heredity. One parent may be of criminal type and the other quite the reverse. Even where two parents are criminals, it does not absolutely follow that the child will be criminal. For instance, the father may be a man of ability but of a laziness which renders him a parasite on society. The mother may be industrious and vivacious, but so feeble in mind that the temptations of dress, of drink, of sexual feeling may degrade her and send her to herd with the lowest classes. Yet if it should so chance that the child inherited the better side of the nature of each, the ability of the father and the industry of the mother, an excellent type might result, while it is just as possible that another child might exhibit the worst side of each parent. Then in heredity there is to be considered the influence of atavism. As each of us has had sixteen great-great-grandparents, whose qualities are certain to blend in his nature in varying proportions, all sorts of eccentricities of characters may arise out of varying combinations, from the abnormal genius to the most common-place man; from the noblest type of morality to the foulest wretch of our gaols. But we know that like springs from like, and we are abundantly certain that, though it is impossible for us to verify the conclusion in every detail, there is not a single natural feature in our

characters which does not owe its presence in us to some combination of the characters of our ancestors.

Secondly, character depends on physiological accidents. I have seen a boy utterly different in temper from all his brothers and sisters by reason of a kick from a horse, which had left on his brain injuries as evident as the scar it had left on his brow. I have known four or five cases in which men who had been thrown from horses and received severe brain injuries have been most seriously altered in character thereafter. Brown-Séquard tells us (*Central Nervous System*, p. 193) that an injury the size of a pin's point in any one of at least half a dozen parts of the brain will cause a man to turn round like a horse in a circus, or roll over and over for hours together. The man is perfectly conscious of what he is doing, but utterly incapable of ceasing his strange antics. So in diseases of the brain, the spine, or the ganglionic cord, physiological changes may make a man act in a way in which he has no desire to act. Any such lesion always has some effect upon the disposition. It may be a great distress to him that he is so irritable and of so snappish a temper. The man is aware of the unhappiness he is causing himself and others, he is perfectly able to contrast what he was with what he is, but his character is nevertheless materially altered. So, too, a person urged by medical advice to the nightly use of narcotics suffers a physiological change which brings detriment to the character. Coleridge expressed the utmost abhorrence of the lies he told in order to secure the use of his fatal drug, yet when the craving was come the lie would inevitably follow. Alcohol has also the power of changing the character. Many a young nursing mother recommended to drink porter may be seen ten years later altered from a lady of bright mind and high hopes into a woman of coarser type, accustomed to lie and scheme for the indulgence, yet the concealment, of an appetite that has grown overmastering as physiological conditions have been deteriorated. Contrariwise, the man who has grown out of long chronic liver troubles, or the woman who at last gets rid of a neuralgia which has persisted for years, may be seen to improve in character, to grow less selfish, more sympathetic and gracious. Often the surgeon

truly predicts a change of character after some operation shall have been successfully performed.

In the final chapters of this book I shall require incidentally to refer at greater length to this question. For the present it is enough to notice that a small patch of inflammation in a man's brain may give him homicidal tendencies, while a little softening of a square inch of the cortex may make a woman a kleptomaniac. Mr. Bruce Thomson, Surgeon to the General Prison of Scotland (quoted Maudsley's *Responsibility*, p. 31), speaks of having observed many thousands of criminals in their lifetime, and made examination of their bodies after death. "Such an accumulation of morbid appearances I have never seen in all my experience." They were people whose very bodies forbade the hope that they could have led well-balanced lives, or nurtured high and delicate susceptibilities. He says that of nearly 500 murderers whom he had known, "only three could be ascertained to have expressed any remorse," and nearly all of them that he examined showed pathologic conditions of brain or body.

Thirdly, character is immensely affected by social surroundings. This has been already discussed, and is too apparent to need illustration.

What is Meant by a Strong Will?

But in answer to all this the man of common-sense is inclined to urge that though no one can affect the peculiarities of the disposition with which he was born, nor fail to be to some extent modified in character by the state of his body, yet there is much that lies within the domain of the will. For instance, a person can choose his companions, and if his social surroundings have been such as to deteriorate his character, he has only himself to blame. We know of course that as a matter of fact people are not in the main free to choose their companions; so far, however, as they do choose, is not this an evidence of free-will? By no means, for the nature of their choice has been predetermined by their character, and every item in what seems the voluntary adoption of

circumstances that affect the character can be traced back link after link to the time of infancy as a chain of sequence whose origin is to be sought in hereditary disposition and in early training.

But sometimes we become imbued with a strong belief in will-power as something of itself selective and determinative. When we see a man who refuses to be the sport of circumstances, who does not drift with the current, but strikes boldly out for some definite point on the shore, we are inclined to regard him as one who can rise superior to the laws of causation. Yet the two factors in the determination of such a man's career are independent of his volition; how came he by that strong will-power, and what were the exterior circumstances that gave to it its tone and direction? That will-power must be hereditary; he did not create it. The man born without it can never make it for himself. And, moreover, whatever be the appearances, this will-power is necessarily, in regard to its scope and direction, the sport of circumstances. Suppose that a lad shows great tenacity of purpose in making himself an electrician, it must be due in some measure to the fact that he has been born recently, and not a century ago, when electricians were unknown. The energy and determination now expended by an individual in making himself a competent musician must have been directed to some wholly different object 1000 years ago. Thus the very cases wherein choice seems most evident show us that careers are founded on circumstances out of the control of the individual. A Columbus, a Napoleon, a Galileo, a Howard, owed their will-power to heredity and training; they owed the direction towards which that will-power was turned to accidents over which they had no control. Had Newton been born in a Galway hut, or Napoleon into a Quaker family, their will-power could by no possibility have made them what they actually were.

In Kant's ethical theory the foundation of all morality is discovered in the "good will" which forms for itself its conceptions of duty and universal law. This appears to shift responsibility from the character in general and assign it to that part of the character which we call "will". Thus it

seems to remove the moral nature away from the notion of a sequence of causes and effects. But if the will is itself hereditary, so that one person is born to be slack and purposeless, whilst another is by nature resolute and consistent, the question of ultimate necessity is only removed one degree farther back. Shakspere tells us—

> For nature is made better by no means,
> But nature makes that means.

So we may ask, if a man's character is improved by his resolute will, who gave him that will? Sooner or later we come to the position of irresponsibility. As Spinoza long ago perceived (*Ethics*, i., prop. 32), "Will, like everything else, requires a cause whereby it is determined to be and to act in a certain definite manner".

Moreover, this "will-power" that I have discussed with the ordinary terms, is no separate existence, no real entity. It is only a capacity of being so powerfully attracted by one motive that other motives become insignificant. It is as if the iron ball of our illustration were so decidedly drawn by one particular kind of magnet, that the others had little or no power to deflect its course. Thus, for instance, if a girl is resolute in marrying her lover, in spite of all opposition, all condemnation; if she finds him the one and only magnet, while wealth and position, parents, friends, all things else are as nothing in comparison, we call her a girl of strong will. But, in truth, her will is no separate entity which guides her and directs her. She moves in the direction of one motive, neglecting all others, and so to our eyes there is an appearance of choice and of very determined choice.

Suppose that a man is capable of being strongly attracted by more than one motive. If they pull him the one way and are active through a large portion of his life, they make him seem only the stronger of will. But if their influence is in opposite directions, no matter how strong each of them may be, they will produce the appearance of an irresolute man. Macbeth may be strongly drawn to the crown, but "what he would highly, that he would holily". His motive of ambition is powerful enough, but he is swayed by fear of consequences;

by the fact that Duncan is his kinsman and his guest, and that he has been meek and virtuous; he is swayed also by the desire to enjoy those

> Golden opinions from all sorts of people
> Which would be worn now in their newest gloss,
> Not cast aside so soon.

This balancing of motives makes Macbeth an irresolute man. But in Lady Macbeth the one magnet of royal power is overmastering. Nothing else has by comparison any force. Even motherly love, in general so preponderating, could be no hindrance.

> I know
> How tender 'tis to love the babe that milks me;
> I would while it was smiling in my face
> Have plucked my nipple from his boneless gums
> And dashed the brains out.

So weak are all other motives in presence of the one that leads over Duncan's corpse to a throne! Hence she seems a woman of strong will, whereas she is only one who is capable of being strongly influenced by a single motive to the exclusion of all others.

Small minds often exhibit a will-power that leads them to success, for they are capable of being almost entirely possessed by the one unchanging motive. Larger minds often fail of success by reason of a want of consistency in pursuit due to the varied play of many motives, each capable of a strong attraction on a richly endowed nature.

It is hard to persuade the common-sense man that he never really makes a deliberate choice; yet in fact all that his judgment can do is to weigh the various attractions of several motives, and the more powerful must certainly prove victorious, as when a child measures with his eyes two pieces of cake and thinks he chooses the larger, when in reality it is the larger piece which has attracted him. Of course it may easily happen that the child's mind has been so trained as to find the smaller piece for various reasons the more magnetic; or it may happen that he may waver and hesitate, realising the motive power of the larger in some respects and the motive power of the smaller in others, but the resultant

conduct must be determined by the algebraic sum of the motives; and while the child believes itself to be choosing, the result was previously quite clear to any one who could have computed the attractiveness of each motive upon a mind of that particular constitution.

In general, when we deliberate, we are only giving to our minds the time to picture to themselves in imagination the more distant motives for action. One of the crew of a foundered ship afloat in a lifeboat beneath a tropic sky might long to drink a cool draught of the ocean waters. If he deliberates it is because fancy begins to elaborate all the joys of later life inevitably lost if such a draught be drunk. He is reckoned to be a strong-willed man if he insists upon drinking in spite of the warnings and entreaties of his fellow-sufferers. Nevertheless he is considered a strong-willed man if, on the contrary, day after day, in spite of the horrid temptation to drink, he remains true to his motive of once more seeing home and family. He is considered a man of weak will if he is inclined now one way and now another. But in every case his action will be determined by the attraction which these motives exercise on a mind of his class.

Absence of Free-will does not Imply Absence of Responsibility.

All this is becoming very evident to people who are educated and in any degree thoughtful, and it is hurrying the world on into a dilemma. If there is no such thing as free-will, and therefore no true responsibility, is it a logical necessity that no one should be made to suffer for his acts? In the practical conduct of the dispute the medical profession appear as leaders on one side, the legal as the champions of the other. Here is a woman who has poisoned half a dozen people though she had little to gain by their murder. The doctors call upon us to look at the configuration of her skull, indicative of small mental power and abnormal tendencies. They prove that her father was suspected of having poisoned some one, and that her grandmother was actually

tried for an alleged offence of the same sort. The woman has herself shown a strange persistency in talking about poisons; they have been to her as a candle-flame to a moth. She has inherited a deranged system, and is clearly not responsible.

The lawyers, on the other hand, insist that she went about the ordinary affairs of life with perfect sanity, bought wisely and managed her household sensibly, and was shrewd even if petty-minded. Hence she was quite rational enough to know what she was doing and to measure the consequences. She must therefore abide by the results of what she has done.

The doctors (that is, those who take a prominent part in the contention) inveigh against the injustice of punishing such people for acting out the nature with which they have been born. The lawyers reply that such arguments apply in equal measure to every member of a community, and that if they should prevail all would be left without check; the thief and the murderer would be unhindered, and society would fall to pieces. Here lies our dilemma; on the one side it is clear that the man born with the criminal temperament can be no other than a criminal; and on the other we are bound to say to him, that if he is a criminal we shall punish him.

But the difficulty arises from pushing the idea of responsibility forward as a philosophical doctrine, whereas it is only a practical instrument, not a thing of any inherent justice, but an indispensable means of social order. This view, though inadequately expressed, underlies the Third Dialogue of Sir Benjamin Brodie's *Psychological Inquiries*, but it is in general only foggily seen in the current discussion of the question.

Much confusion arises from the erroneous conception that there is such a thing as retributive justice, that if a person has committed a certain fault, justice demands that he should suffer a certain punishment. This implies that a certain amount of wrong-doing can be balanced by a certain amount of pain, an idea which, when examined, is seen to be preposterous. It is impossible that the stealing of five pounds can be balanced by so many months spent in prison any more

than three years could turn the scale against two tons. The quantities are unlike in kind, and no comparison between them is possible. We hear people talk as if a murderer ought in the nature of things to be executed. He must give up his own life in compensation for the life he took. If he could by the loss of his own life put back the life in the dead man there might be something in the notion, or if he could restore to the community by his death a life in place of that he has taken away, the absurdity might not be so great. But in all ideas of "retributive justice" there is involved a radical fallacy. When a cat steals my cream, and I give it a couple of slaps for the offence, I may have in my mind the idea of a certain justice in the punishment, but that idea is hopelessly erroneous. In the first place, the cat is only working out its natural instincts in taking the cream, if it is within reach; and, secondly, there can be no possible equation between so much cream and so many slaps. The only possible equation must be between the motive power of cream and the motive power of slaps.

We shall never emerge into a region of clear thought on the subject until we cease to regard punishment as retrospective, and treat it wholly as prospective. It is not retributive for the past, but an element of motive for the future. I do not slap my cat for having stolen the cream, but because I wish the memory of the slaps to enter as a part of the motives when next it sees my cream within its reach. I do not attribute to my cat any such unphilosophical capacity as freedom of will. I know that its conduct will always follow the attractive power of the strongest motive, and I wish so to weigh up the sum total of motive that the resultant which determines conduct shall incline to the side that best suits the comfort of my household. And instead of there being any balance between wrongfulness of conduct and retributive pain, it is easily perceived that only that degree of punishment is right which is the least that is sufficient to act as an adjuster of motive. If my cat is of so affectionate a nature that a scolding will be enough to act as a deterrent in future, more than that would be a cruelty. But if more is needed, and on repeated occasions, then the just man will proceed

only so far as to secure that the fear of punishment may in the balancing of motives preponderate over the love of cream.

Herein in all cases lies the true meaning of responsibility. It does not imply that we are ever really free agents, and therefore responsible for our actions in such a sense. But it means that we have to take the consequences of our acts, and the expectation of these consequences must be left to operate in the play of motives. If I drop a ten-pound iron weight on my toe, I hop around the room bearing the consequences. If I drop it on another man's toe, I have still to take the consequences in the shape of his resentment. And if the act has been such as to rouse his deep and permanent resentment, the consequent disorder that arises is an injury to society, whose resentment I have therefore to endure likewise.

But observe that it is throughout a question of motives. If the dropping of that weight upon my own toe was wilful, then the memory of the pain I incur will be a motive for not being so foolish another time, and in that case I am said to be responsible. If it was an accident, but arising from carelessness, I am considered to be responsible for want of care, and the memory of my suffering will be a motive to me to be more careful in future. But if the matter was a pure accident, utterly out of my control, I suffer quite as much pain as before, but I am held in no way responsible for my suffering seeing that it cannot in any way enter into my motive for future action.

If I drop the weight on another man's toe and the action is a pure accident over which no alteration in my motives could have had any control, I am held blameless. The other man suffers the pain, I endure little more than the sympathetic distress of a bystander. But if it were the result of my carelessness the sufferer, or, on his behalf, society as a whole may cause me to feel the effects of resentment, so that I may have a motive for greater care in the future. If it were altogether wilful, then I must have been moved to a wrong action by a clearly realised motive, and that man, or, on his behalf, society as a whole may provide me with something whose memory will in future be a useful

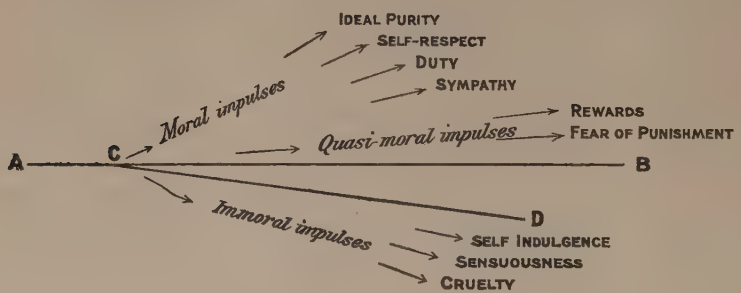
counteracting motive when next the same malicious motives impel to a similar action.

A schoolmaster, looking at a couple of lads, may recognise perfectly well that the one is no more responsible for his laziness than the other for his industry. The former has been born with a slow mind that finds no pleasure in intellectual activity, while the other has been born so bright in faculty that mental exertion is to him a positive delight. Any philosophic idea of responsibility is therefore unreasonable. But in practice he insists upon responsibility as a most necessary corrective of motive. The bright boy needs no incentive to work; he has a pleasure in activity. The dull boy's natural motives would all lead to apathy; but the idea of responsibility, carrying with it the motives of loss of rewards, general condemnation, or punishment, enters into the sum total of motives and bends the resultant into the direction that is wished for.

A just theory of responsibility has therefore nothing whatsoever to do with the question of free-will or necessity: it is only a matter of adjustment of motive. Suppose that on a dark and lonely road I meet a powerful and villainous-looking fellow with a heavy bludgeon. On that man's mind, the loneliness, the darkness, my feebleness, my watch-chain and the probability of my having some money, act with the force of a compelling motive. He steps up to fell me, but he hears the click of my pistol, and instantly passes on as if he meant nothing. The man in both cases acts under necessitarian impulses; but, in the second, one little sound utterly alters the direction of the resultant impulse. It is true that as I cock my pistol a glance may assure me that a man with such a face, such a cranium and such a slouching look, is only going to act in accordance with the nature which birth and training have given him. He is not responsible in the sense that he can be the cause of his own nature or of his own acts. But, inasmuch as he is a creature capable of being swayed by motives, I am going to treat him as if responsible; and, indeed, he *is* responsible in the sense that he must abide by the consequences of his acts. If it is his nature to fell me with a bludgeon to secure my property, it is my nature to shoot him with a pistol in order to defend my life.

But all responsibility is of the same kind. If it is a clerk's nature to embezzle money, it is society's nature to put embezzlers in gaol, and if it is his nature not to like being put in gaol, then we must just hope that in the conflict of motives the one more useful to society will prevail. At any rate, the thought of gaol ought to be to him, just what the click of my pistol was to the midnight villain. Responsibility thus never implies the existence of free-will, but only the entrance of the resentment of society into the sum total of actuating motives.

For in the case of a social being, one of the most important consequences of his acts is that when they are injurious to his fellows they meet with condemnation and resentment; when beneficial, with applause or reward. And in all quasi-moral conduct these form the determinant motives. The principles here indicated are simple enough, yet so



divergent from popular conceptions that I shall emphasise them with a diagram to illustrate the play of various motives.

Let A B represent the line along which a man's conduct passes when it is neutral, neither good nor evil, but quite indifferent. Suppose any downward deflection is to evil, any upward, to good. At the point C in that man's conduct there appear a number of attractions leading him to evil. As the power of these becomes apparent he is also aware of the motives inclining him to goodness; for sympathy shows him the harm done to others by evil; duty supplies attractions sprung from training and habit; self-respect offers the happiness of internal peace; even the ideal of an upright mind may shine with all its charm.

The extent to which these various motives are active will of course depend on the nature of his mind, and the resultant force will depend upon that nature. The more it inclines upward from C, the more is his conduct kindly, noble and self-sacrificing; the more it inclines downward, the more is his conduct selfish, mean and degrading. If, as the combined effect of these motives, the resultant bends upward, there has occurred a purely moral victory. But if it turns downward, as along the line C D, all is not yet lost. It is impossible to make that man act from right motives, yet it is quite possible to make him act rightly, for society has still its reserve force to bring into play, and this consists of responsibility in all its forms. The fear of condemnation, alienation of friends, loss of position, social degradation, fear of the gaol, the possible ultimate fumbling of a hangman round his neck, will form a series of increasingly powerful motives. They are like ropes attached to a vessel when she is launched; though each in its turn is snapped by the strain, each helps to pull her up in her course, and when one is gone there remain stronger and still stronger to be the successive checks of a headlong career. That such a vessel is pulled up ere she plunge her bow in the opposite bank of the river is due to no voluntary action nor any internal power of her own. It is the effect of external checks successively applied.

So it is with moral motives; the man is not a free agent, but is ever swayed by the resultant of motives; if the truly moral motives give way one after another, then come into play the gentler forms of responsibility; and, if these are insufficient, still more stringent motives of responsibility begin to act. If none of these can counterbalance the selfish instincts, the career is certain of hopeless wreck.

Use of the Sense of Responsibility.

The sense of responsibility, like the sense of duty, grows with experience. In youth we steadily gather our sense of physical responsibility from our experience of the pain which follows certain acts; we gather with equal steadiness our

sense of moral responsibility from our experience of the social resentment that follows other acts of ours, acts which probably in themselves give pleasure to us, but discomfort to other people. So we come to weigh always the amount of a pleasure and the cost of that pleasure as measured by the resentment its attainment provokes in other people.

It would therefore be absurd for society to wait till the sense of responsibility grew, before actually insisting upon responsibility. Hold a child responsible, and it grows to have a sense of responsibility. If a man is of weak intellect, never on that account loosen the demands of responsibility, for in so doing you remove from him the only really operative class of checks, seeing that his mind is more or less incapable of the truly moral checks.

If I enter a room where my infant is freely helping himself to sweetmeats from the table I may say to myself, philosophically, "Given the child nature and the sweetmeat temptation, this result was sure to follow". But if I always act on these necessitarian principles I ruin the character of the child. My proper course, though I recognise that it must always act of necessity as its motives impel it, is to insert a new class of motive into its mind. I therefore explain to the child that I shall feel vexed if ever it does this thing again. Thus I insert the counterbalancing motive of my displeasure when a future impulse arises. If the child is very sympathetic in nature this may be ample, and I may notice that in future the near temptation of a sweet taste may be held sharply in check by the remote consequence of causing my displeasure. The child is acquiring the sense of responsibility, whose business it is to weigh present pleasures against their ultimate effects.

But on a sudden temptation the child may again repeat the fault; I take him into solemn conference: point out the dislike that is felt by all people for children who are greedy and disobedient, the sickness he may bring on himself and consequent deep sorrow of all who love him. In short, I pile up as counter-motives to that of appetite, all the remote consequences which he is able to understand. Very probably the task is done so far as this particular class of conduct is con-

cerned. The child cannot again stretch forth his hand for unpermitted dainties without a reflex action of the mind gathering round the idea of the act and its immediate pleasure, all the idea of its remote consequences. It may be that the mere description of these consequences may not be enough. The child may have to be sent to bed in disgrace, or be deprived of some customary pleasure or perhaps whipped, perhaps it actually on some occasion makes itself sick. In any case, the sense of responsibility is acquired when the memory of the past so acts as to call up an anticipation of the future strong enough to stay the outstretched hand.

But, of course, a large part of the experience from which we derive our sense of responsibility is not gathered so much from what happens to ourselves, as from what happens to others. When a child is whipped and sent to bed, the lesson sinks deep into the minds of the rest of the family; when a boy is publicly dismissed with ignominy from school, the rest go home with awe-stricken souls. When the detectives produce the handcuffs and take the embezzling clerk from his desk, all the other clerks feel a strange emotion. In this way the sense of responsibility is educated, and a dozen clerks who are travelling in wrong directions may be pulled up sharply and led to consider their conduct and its goal without any need that they themselves should experience all the miseries of degradation.

Herein lies the danger of the zeal of those reformers in the treatment of criminals who, having been convinced of the fallacy in prevailing ideas of free-will, think that there is therefore no responsibility. For, of course, if the born criminal is not to be held responsible, we must all be irresponsible. If a phrenologist can show that I have been born without the bump of industry, who shall blame me if I lie on my back in the sun or in some snug shelter all day long? This is the view from which a sentimental philosophy cannot escape. But if common-sense looks down on me with an angry scorn, saying, "Rise up out of that, you lazy fellow, and do some work," and if that sharp rebuke sends me off to some useful exertion, is not common-sense a thing to earn our thanks?

Though we may discharge the doctrine of free-will from our minds, any attempt to establish the doctrine of irresponsibility would be practically disastrous, and, as we have seen, is logically unnecessary. Am I to allow a dog, merely because he is a puppy, to gnaw all my furniture to pieces and never give him a slap? I realise perfectly that he is not a free agent; yet I hold him responsible for the damage done, so that the whipping which I now give him may enter into the motives controlling his necessitarian action when the next temptation arises.

Am I to allow a child, merely because it is young and by nature obstinate, to wantonly ruin my choicest flowers, plucking them by the root unmindful of all my injunctions? Whatever be its nature, it will be all the better for experiencing my resentment in whatever shape that may be most wisely expressed. Because a man is of weak mind am I to suffer him, if such be his freak, to pull my nose in the public streets? He will be none the worse if in the future impulses that control his conduct, he has a salutary remembrance of the way I took his impertinence on this occasion.

Griesinger, when speaking of the desirability of removing the insane at a very early period of their malady to well-conducted asylums (*Mental Diseases*, chap. ii., sec. i.), condemns the bad effect which follows the loss of the sense of responsibility when the patient lives with his friends. For they cannot have the heart to hold the man responsible for his words and acts when they see his mind, day after day, giving way. And the growing laxity of the sense of responsibility only makes the mind more undisciplined. When other motives grow weak, the motive of responsibility should, if anything, be strengthened. The quietness, the steady routine, and uncompromising insistence upon good conduct which characterise the asylum are like a balm to the mind unhinged. "His restless habits," as Griesinger says, "and the noisy expression of his maniacal impulses are controlled by the ruling spirit of peace and order; he passes of his own accord into the quiet routine of the house; he observes that resistance is utterly useless, and notices that the whole style of the treatment he receives and the amount of liberty and

enjoyment allowed him depend entirely on the degree of control he exercises over himself." The experience of the leading authorities makes it clear that even the insane are the better for being held responsible if they are capable of any appreciation of cause and effect. Though they may be the victims of a most pitiful fate in being mad at all, their fate grows worse if they are freed from all sense of responsibility. So long as a man is capable of foreseeing, or of being taught to foresee the consequences of his acts, these consequences ought to be allowed their full weight in the composition of his motives.

We thus arrive at a position which is entirely opposed to that of the kindly-meaning but indiscreetly zealous leaders of criminal anthropology. Because, as Prosper Devine asserts, the moral sense is congenitally absent in criminals who commit violent crimes in cold blood, are they therefore to be shielded from the consequences of these crimes, as if so many innocent lambs who must be held blameless because born precisely what they are? On the contrary, the poorer their moral nature, the more definite should their responsibility be made. The child born with the natural qualities which make him truthful needs no threat of punishment to keep him from lies, but the child of opposite propensities must have some sort of discipline sharply maintained. It would be a gross cruelty to suffer him to grow up an incorrigible liar and pest to society. From the very first he should learn that a lie brings him uncomfortable consequences, so that he may by habit come to "assume a virtue if he have it not".

Stephen very rightly says (*History of Criminal Law*, ii., 107) that "it is at the moment when temptation to crime is strongest that the law should speak most clearly and emphatically to the contrary". Not that we are to assume severity to be the only quality needed in dealing with the criminal. A kindly firmness which takes a genuine interest in him and seeks to win before it drives, is the course which growing humanity dictates; but in all cases the less moral the nature the more undeviating must be the discipline of responsibility.

It would be a fatal crisis in the history of society if it

ever announced to the man of weak intellect or criminal passions, "Poor fellow, you cannot help being what you are, and we shall not be so unjust as to punish you for being what you could not fail to be". Such a course would precipitate a thousand evils; its mistaken kindness would be a cruel unkindness to the worthier part of the communities left a prey to the less worthy. It is fortunate for mankind, as will be shown at length in the following chapters, that through all its history, responsibility, though growing less severe, has been becoming more definite and inexorable. While systems of penalties have become less cruel, they are now more certain. A wholesome sense of discipline pervades society such as converts a rabble of men into an orderly army, a discipline which has no need to be stern so long as it is resolute.

Responsibility and Forethought.

To this growing sense of responsibility must be attributed the greater capacity of forethought which men now display. It is of importance to us all to find an increasing share of our motives in the future consequences of our acts. A savage takes small thought of the morrow, less of next month, and none whatsoever of the following year. The responsible citizen of our time educates his children with thought of the far-off years when they are to be men and women; he works and saves with a realisation that a time may come when old age will dim his faculties; in his business his plans look far ahead; in his very pleasures he has his time mapped out more or less for weeks in advance.

This habit of living much in the future may become morbid, so that a man may fail to enjoy the happiness of the present, in which case he is doomed to be permanently unhappy, for, his pleasure being always to come, it is never actually enjoyed, and he justifies Pope's line:—

> Man never is, but always to be blest.

The joyous temperament lives in the present and feels disposed to say to the passing hour, "Stay, for thou art pleasant".

The responsible temperament projects itself into the future, and is for ever asking itself in regard to every act, "What is to be the remote consequence?" A due admixture makes the well-balanced life. One man enjoys the present so much that he spends every shilling he earns, and he pays the penalty in the future. Another man has so heavy a sense of responsibility for the future that he grudges ever to spend a shilling, and so he pays the penalty in the present. Society seems to be steadily moving towards the happy mean. But in general this must be by the acquisition of the sense of responsibility. For in his natural condition man lives in the present, forgetful of what is to come; and, speaking of society as a whole, the lesson still to be emphasised for many a long century is that the act of this present hour is to be the seed whence shall spring a whole crop of consequences in future hours.

In defining moral conduct, I called it that conduct which is actuated by a wise sympathy. Now it is the sense of responsibility which determines the wisdom of an act impelled by sympathy. A man who yields to every sympathetic impulse with no sense of responsibility may be justly accused of gratifying himself with that sort of selfish indulgence which is most delicately acceptable to his own tastes. If, when met by the whine of some bulbous-nosed old fraud in the streets, he drops a shilling into the outstretched hat, he gratifies a sympathetic instinct at the cost of future evil consequences. If, when his children beg for a holiday from school, he thinks only of the sympathetic pleasure of seeing them at play around him, he fails by reason of a want of forethought; if a friend in distress appears some evening earnestly begging him to endorse a bill, and in the kindness of his nature he consents without staying to realise all the consequences that may follow to himself and those he loves, he shows his nature to be full of sympathy, but it may be a sympathy that is far from wise.

Thus it is clear that though the sense of responsibility is in its origin concerned only with quasi-moral motives, it comes to exert a profoundly modifying influence on those that are more truly moral. For that habit of looking into the future which it inculcates, teaches us to discriminate between moral

motives, and so it may easily come to pass that the sense of responsibility, though not itself moral, may lend all its weight to the enforcement of other motives that are truly moral. It may (1) rectify the operations of thoughtless sympathy; (2) deepen the sense of duty; (3) ennoble the feeling of self-respect, and sometimes even (4) strengthen the devotion to the pure and beautiful.

(1) Sympathy, as I have slightly shown, by aid of a sense of responsibility becomes wiser. If I have a servant whose faults are serious, I ought to speak to him about them. But I may dislike to give pain and shirk the necessary interview. But this sort of sympathy is eminently unwise, and so the sense of responsibility comes to my aid. I realise what I shall feel if, after a while, the faults grow worse and I find it necessary to dismiss that servant; I foresee what will be my sensations, if in some future day I hear he has gone utterly wrong for want of a little timely plain-speaking. I feel responsible to my own future sympathies, and brace up my courage for the disagreeable task of fault-finding in the present.

(2) Duty also is often intimately connected with the sense of responsibility. Not always of course, for when duty has become habit, responsibility has no part in the play of motives. The good man tells the truth as a matter of habit. He does not weigh the future, nor is he urged on by any regard of consequences. When he buys an article he places the money on the counter as a matter of habit, and there never crosses his mind a thought of what might happen if he tried to cheat. Yet whenever duty has less than this habitual control over us; when we are inclined to hesitate, and the moral victory is uncertain; then up comes the reserve force of responsibility, and one thought of all the hateful consequences determines to right conduct.

(3) But far more characteristic of our modern developments is that feeling of responsibility which is attached to self-respect. What an immense number of people now-a-days set themselves to the task of self-improvement, and that not to win a heaven, nor to earn applause, but solely out of a sense of responsibility in regard to the use of their time; a feeling

that the months and years of the future will look back to the months and the years that are now passing and ask with solemn voices: "Where are the treasures of knowledge, and of elevating emotion; where is the sense of worthy achievement and upward progress which ye might have brought?" To such a mind its future character is a grave responsibility, and present action is shaped thereby. No savage or barbarian is ever much harassed by such feelings. They were not unknown to the nobler souls among Hebrew and Greek and Roman. But it is a purely modern feature to see them in action upon anything like a great scale, and our modern armies of young and often middle-aged, or even elderly persons, hard at work in self-improvement at reading-unions, or University Extension lectures, and all analogous institutions bear witness to the immense development in modern communities of a sense of responsibility to one's self.

(4) Closely connected therewith is the deep sense of responsibility to an ideal. When the musician Schubert, after long sighing for the post of conductor in a theatre, had secured his ambition, he threw up the position rather than alter a note of his music in the direction of what he considered a baser, though more popular taste. Such a feeling may easily be carried to an extreme, for compromise must always be a feature of social life. But at least it is a noble extreme, and only possible in a nature of exalted feeling. How many a painter who might have lived comfortably on "pot-boilers" has starved while producing pictures which he knew no one would buy, because within him he felt a responsibility to his ideal of the highest and best.

So it is with moral ideals. The youth who at college withdraws from the rooms in which loose talk is usual, could scarcely tell you what he is to gain by making himself obnoxious to his comrades; all the sympathy of fellowship ought to make him remain and try to grow accustomed to the unseemly jokes that prevail in the society he can scarcely avoid. But he has a feeling that he must be loyal to his ideal of purity. It is not a question, very much, of duty; but his home life with a good mother and pure sisters has given him such an ideal of woman, that if he were to spend an

evening in weak association with a baser ideal, he must expect to be bitterly repaid in the future by the reproaches of the purer conception which really controls his affections.

So we may imagine a girl, poor, surrounded with discomfort and under the necessity of a sordid toil for her daily bread. She has an offer of marriage from a man who undoubtedly loves her, whose character is unexceptionable, and whose means are ample. Yet she refuses the offer, because her ideal of marriage demands that she should feel towards her bridegroom as she feels to no other upon earth. What, then, is her fear of future unhappiness? In material surroundings she must be far more happily placed; friends would all approve of the match; her lover is aware he has not secured her affections, yet would rather win her so than not win her at all. Yet is she resolute because she feels a responsibility to her own ideal. It is not in its essence a question of duty; she might easily consider that duty would rather prompt her to an honourable marriage, which would make a good man happy and gather round her a little family who should have every prospect of promise in their favour; moreover, she may be able to help her people more effectually, and in her station, as a matron of some influence, she might have scope for doing much good. Multitudes would in such a case accept, but there is many a girl who would feel her responsibility to an unwavering ideal a wholly insuperable obstacle. A realisation of what the future would mean if passed with a husband to whom she could not feel as a wife should feel; the fear of a lifelong reproach if she entered into so sacred a union from motives other than the highest and holiest—these would form for her the noblest of all forms of responsibility, that which we derive from our sense of allegiance to a great ideal.

Where conscience is thus tender, the moral instinct has reached its highest phase. For it is one thing to see the ideal and approve of it, but another thing to feel this deep consciousness of responsibility in regard to it. He who is thus susceptible, whose conduct is kept from present wrong by reason of the future accusation before the ideals of truth and kindliness, of purity and dignity, has the sublimest of all pos-

sible motives for right conduct. It is never dependent upon laws, for they are utterly too gross and material to affect it. No code that ever was framed could be so delicate, so searching, so inwardly compulsive, as this allegiance to an ideal.

CHAPTER XIX.

THE INFLUENCE OF THE FAMILY ON THE GROWTH OF MORALS.

Sexual Jealousy Makes the Family Unit Distinct.

Among modern writers on the history of law, the belief has long been very definitely expressed that in its development law has nothing to do with morals, but only with damages; that even criminal law in its primitive form is in no way concerned with sins, but only with injuries; in short, that early law never dreams of making people good, but only of keeping them from quarrelling. Sir Henry Maine remarks (*Ancient Law*, p. 370): "The penal law of ancient communities is not the law of crimes, it is the law of wrongs, or to use the English technical word, it is the law of torts". Stephen, in his *History of English Criminal Law* (iii., 27), says that "in all the English laws before the Conquest homicide is treated almost entirely as a wrong," a damage done to a family, which may be compensated for its loss. In early law, the only ideas that are prominent are the injury inflicted, the probable revenge of the injured person, and the amount of compensation which is likely to mollify him and preserve the peace. Murder is not a wickedness, but an injury to the bereaved family. Our Teutonic ancestors had small notion of any personal unworthiness in the want of chastity in a man, but they did most thoroughly comprehend the loss which a family sustained if one of its maidens was depreciated in market value. They never recognised the loss to the maiden herself, but purely the money loss to her kindred. The laws of the Frisians directed that if a man had violated a maid he should pay to her relatives ten shillings, but if he married her against their will he

should pay them twenty (Lindenbrog, *Barbarian Laws*), the loss caused by taking her away altogether being greater than that of merely depreciating her price. So, too, in the Mosaic laws, if a man seduces a Hebrew maiden he has to pay for his action on account of the wrong he has done his countrymen, her relatives; but if he captures any maiden from without the chosen people, he may gratify himself as he pleases. Chastity is nothing, but damage to a fellow-Hebrew is much.

In laws of people on the barbarian grades, such as those of the Teutons or of the Jews, we do most certainly see some incipient notion of the sinfulness of certain acts, but in the earlier stages which preceded these, in every grade of savage life, only the sense of injury, never the feeling of wrongfulness, is to be detected. The savage dare not injure another man's children; if he does he must expect that other man's revenge; but he may destroy his own whenever he pleases. He must not seduce or insult another man's daughter, but he can sell his own to a passing stranger. He dare not take another man's wife by the hand, but he can thrust a spear through his own if the whim seizes him.

It is clear, then, that a man in savage life is prevented from injuring those outside of his own family only by fear of retaliation, and his conduct is therefore without true moral basis. It is within his family that he finds the most natural scope for the growth of a right feeling which begins in self-sacrificing love for his offspring, extends to a devotion for his wife, and then the habit of kindness to brother and parent may tend to spread outwards into social feelings for mere neighbours. But it was from the fear of retaliation that law arose; when one armed man faced another to avenge himself for an injury, and when the kinsmen of each ranged themselves to support and defend, it was natural that the less heated partisans should make an effort to compromise the quarrel, and when compensation had been offered and accepted, the incident would form a precedent for use on the next occasion when a similar injury threatened a long feud, with all its train of deaths and desolations. Out of such compacts and compromises did law, in all cases that we know of, take its earliest rise.

Since morality, then, originates within the family, while law is born of friction between families, it is very needful to understand the constitution of the family as the unit of society. Not that the family is always the really notable unit. We shall see subsequently that family limits may sometimes be greatly blurred, and that unions may prevail whose basis is altogether different. Individuals are to society what atoms are to chemical matter. They group themselves in a molecule, and the form of that molecule will depend on the internal play of various attractions. But what is called allotropic or isomeric change is always possible. Precisely the same atoms may so alter their grouping as wholly to change the aspect and character of the constituted body. The only great historic instance of this molecular change with which we shall be practically concerned was the mediæval transition from the family unit to the allegiance unit, from the kindred to the comitatus. But for the present we shall only notice, as being intimately connected with the manner in which moral progress has occurred, the strong contrast that exists between a comparatively amorphous community and one with well-defined molecular structure.

In primitive societies the condition is amorphous, that is, without any marked molecular constitution, unless in cases wherein the family is a very definite feature; and the family is strong in its cohesiveness, and distinct in its form, only when there is a very decided infusion of sexual jealousy in the national character. In more advanced communities, sexual jealousy, though still in latent form as potent as ever, has a greatly diminished scope for operation. But in the earlier stages we find only two notably distinct racial types. Men may have much or may have little self-assertiveness, and, as a consequence, much or little sexual jealousy. A community characterised by little inclination to assert itself is indifferent and easy-going. Being readily contented, it makes no strenuous efforts to improve its comfort or advance its knowledge. It looks with good-humoured tolerance on the almost promiscuous intercourse of its unmarried girls, and when a man buys a wife for himself, although he is not without some share of sexual exclusiveness, he has no sense of

disgust at the idea of lending her, or of permanently or temporarily exchanging her. Such a man marries without the least regard to the previous conduct of his bride, and there are fifty or sixty races among whom, as it is recorded, the bridegroom actually prefers that his bride should already have borne a child. Among such a people the family limits will be blurred; the molecule on which the definite form of society depends will be unstable and uncertain.

On the other hand, the prevailing type of a community may be self-assertive and jealous; it is a character unlovely in itself, but eventually it leads to good. A people of this class will be more quarrelsome, and much less amenable to rule than the other, but in the end they are likely to reach a higher level. For when their vigour and self-assertiveness have been toned down, when the discipline has been added that comfortable social life demands, they present a progress capable of far better things than the type of indifferent, easy-going good-humour. In such a community sexual jealousy causes the family to be maintained in a definite form. Each man is resolute in keeping his wife strictly to himself; he is nowise careless as to whether the children he supports are really his own. Monogamy, therefore, becomes prevalent, for since females and males are born approximately equal in number, the average man will have but one wife; their union, as already shown, will be permanent, and the children born of that union will be very definitely attached to their parents, instead of belonging in a general way to the village or tribe.

There is, I believe, no race entirely without sexual jealousy; but in some it is only slightly developed. It reads at first like a traveller's tale when we are assured that among the Hassanyeh Arabs in North Africa, a marriage is always understood to hold good for only so many nights in the week; but when a dozen competent witnesses at intervals throughout half a century vouch for the fact we are almost bound to accept it. John Petherick, for instance, tells us very explicitly (*Egypt, the Soudan and Central Africa*, p. 142) that "the marriage contract always specifies for how many days in the week the bride is expected to observe the marriage vow. The scale is two days, three days, or at the most four

days in the week, the usual terms being that the contract holds good for Monday, Tuesday, Wednesday and Thursday." During the remainder of the week she may please herself, staying with her husband or cohabiting with others as she prefers.

There is no race in which absolute promiscuity prevails; none in which some sort of marriage, some definite appropriation of women, does not take place. Yet there are very many in which the union of the sexes is too loose to give rise to any very definite family feeling. Among a large proportion of the negro tribes, as we learn from Brown, Clapperton, Laing, Bosman and Smith, the women surrender their persons with a readiness that suggests how feeble is the prevailing jealousy, and Major Gray, in speaking of a particular tribe, declares that "except the few females whom the chiefs keep in restraint, the women may be said to be in common". Almost as severe are the comments of two English ladies who have given their experience of some years of intimate life among negresses. We know for certain that a wife's company was readily lent or bartered among Kafirs, Australians, Tasmanians, Dyaks, Sontals, Domes, Bhotias, Ladaks, Nepalese, Todas, Nagas, Semangs, Mooruts, Maoris and Ainus. We are assured by most respectable missionaries that among many Melanesian and Polynesian races, as well as among a considerable proportion of the Tatar tribes, wives were lent as a matter of hospitality, and that on public festivals women were allowed a riotous degree of laxity. Robertson Smith, a most reliable authority, tells us that among the early Arabs (*Marriage and Kinship*, p. 110), "when a man desired goodly seed, he would call upon his wife to cohabit with some man of recognised excellence". There are Arab races in which to-day the same spirit prevails.

Of all mankind, the Aryans have been those most generally self-assertive and inclined to jealousy. Yet even of this great stock certain races have not been free from some degree of indifference in regard to their women. Müller tells us (*Dorians*, iii., x., 4) that among the Spartans and other Dorians a married but childless man was commended if he brought in a younger or more powerful man to be the father

of his wife's children, while, to the wives of men who fell in battle, mates were temporarily assigned in order that children might be born; and we know that at Sparta the chastity of the women was little valued.

Looseness of this sort interferes with the cohesion of the household and the strength of family affections. Among ourselves we know how very generally the entrance of a stepmother tends to produce a dispersive effect upon the family. But if a man got rid of his wife every three or four years and took a new one, his children at ten or twelve years old would feel his house very little of a home.

I remember a chat I once had with some boys who were selling evening papers on the streets of a great city. They spoke of each other as brothers, but when they tried to disentangle their real relationship they gave up the effort with a laugh. I could guess they were the result of one of those kaleidoscopic series of unions so common in the lanes and alleys of our crowded centres. A woman with a child joins a man who has also a child; they have a third child, and the man disappears: whereupon the woman finds a new mate and has another child. The woman then dies, and the man for a while good-humouredly supports the orphans, meantime perhaps bringing in another woman, who also has children. A member of this conglomerate who had lost his mother in early infancy might never really know who that mother was; and there are many waifs in our streets who could not possibly tell who had been their fathers. As a rule, however, where sexual feeling is of this indifferent type, though there may be little certainty as to the father, the mother is generally known. Hence arise those systems of mother-bound relationships such as McLennan has studied and L. H. Morgan has designated by the names of Consanguine, Panaluan and Syndyasmian, each being suggestive of some degree of prevailing laxity in sexual relations.

All this is very characteristic of a mirthful and indifferent good-humour, which early arrives at a very peaceful and orderly sort of life, just that style of community which so much charmed A. R. Wallace in Malaysia. Among such a people quarrels are rare, because men seldom feel with suffi-

cient keenness to be inclined for quarrels. If any one tells a man a lie, he takes it all as truth, and merely tells a bigger lie in return; if anybody steals his property, he lets him keep it, and when the chance occurs steals an equivalent; if a young man is openly carrying on an intrigue with his daughter, he only grins, and thinks complacently how great a favourite he was himself with the girls in his younger days.

With such an indifferent temper, people rub along very pleasantly together, but the resultant morality is of a flabby kind, and the community is amorphous in constitution. A hundred times better the Aryan type, which, like the steed not easily broken in, is yet well worth the conquest when its strength and spirit have once learnt to endure the curb.

The Family as the Molecule of Society.

Dealing now solely with this Aryan type, harder to discipline but nobler in the end, we have two problems to consider in regard to molecular constitution. The first is this of the definite family, formed by that strong feeling of sexual jealousy which keeps the maid uncontaminated till wooed and wedded by a husband who will part with her to no one while he lives, who is grimly resolute that her kisses shall be his and his alone, that her children shall never need to doubt but that he is their father. Society in this case is very evidently formed of well-defined molecules. Here stands the man with the spear, behind him crouch his wife and his children, and behind every other spearman is a similar group, and all the public relationships of life are no longer between individual and individual, but between group and group.

The second problem relates to the size which these groups will ultimately attain. Suppose that a community of 100 persons is divided into twenty families, each of the natural average of five individuals. Suppose that the community increases to 1000 persons, will there now be 200 families of five in each, or will the number of families still remain at twenty, but with fifty persons in each? The former would be the case among civilised people of our own times. The latter course

was always that which the early Aryan races adopted, not consciously, but as a result of the self-assertive and quarrelsome type of their character.

When the number of families remains limited but the size of each group extends, there arises that patriarchal organisation of society so interestingly unfolded in the works of Coulanges and Maine and Hearn. It was characteristic of all Aryan peoples, and determined the course of their civilisation and the form assumed by their public laws. It arose only where sexual unions were very definite and lifelong, and where feuds and chronic warfare indicated the generally aggressive type of the people. Where the father and mother lived in unchanging union, the sons would be inclined to stay long in the home, sheltering themselves behind the father's spear.

Indeed, in a community of aggressive disposition, it is far from safe for the youth too soon to leave the home; and when at length he takes a wife to himself, and goes forth to form a new group like the one he has sprung from, he has nothing to depend upon for security but his own unaided right arm. In such a case the groups all remain feeble. But suppose that a father has the skill to keep his sons a while beside himself and their mother; they, too, become spearmen, and the father, with two or three stalwart lads behind him, can revenge himself or assert his claims to much better purpose than before. The little group, thus standing by each other in all quarrels, now find that the policy of each for himself is weak in comparison, and instead of going out to found new homes, every son in his turn brings in a wife to the old home. The family thus extended was bound to grow, for as it domineered over all around by reason of its strength, grandsons would learn to stay and share the advantage, and there would be no limit save that of food supply. The lad who left the family would go forth an unconsidered atom; to be bullied and oppressed all round. For in the meantime, other men would have found that they too, to hold their own, must form their family associations. Thus the general constitution of society would be that of groups of extended families, from which to be isolated, would mean for almost any man

destruction or slavery. For we are presupposing a very distinctly aggressive and self-assertive type of humanity, which will take where it has the power, and has no hope of keeping save where it has the strength. Of such a class were all the early Aryan people. For them no easy indifference; it was ever a word and a blow; nothing so glorious as the booty gained in war; nothing so mean as the man unready for fierce conflict whether to take or defend. In such a society the extended or patriarchal family, when once definitely started, would be a prime success; and everywhere the choice would be either thus to combine or else to go under; either thus to increase in strength or else to pass in slavery or submission beneath the yoke of those who did.

And yet there would always be some limit to the growth of such a family. In general, from fifty to eighty individuals dwelt together. In early agriculture, only small patches of land are sufficiently rich and clear enough of heavy timber to be utilised. When all the patches readily accessible were farmed, and all the grassy lands in the neighbourhood were occupied with cattle, then the family had reached its greatest size. Straitened resources would compel a process of hiving off. In the modern Sclavonic house-communities which are the still-existent models of the ancient patriarchal family, about sixty persons form the average according to Professor Bogisic (quoted Sir Henry Maine, *Early Law*, p. 261). In the laws of Howell we see that among the Welsh of the ninth century, kinship was reckoned to the fifth degree, an extent which would recognise an average of not more than eighty in the family. Numerous expressions and detailed arrangements of the Teutonic laws suggest that in very primitive times this must have represented something like the extent over which kinship was operative.

But even where the difficulty of food supply was overcome there would be in early times a natural limit to increase of the family. Where there are eighty persons at that grade of advancement there will be about a dozen married couples, and when so many with their children live in the same household, little frictions and jarring interests must inevitably arise. The bigger the conglomeration the more probable is

the occurrence of some strain which will eventually exert a disruptive force, and split the association into two or more parts.

The size of the extended family was therefore determined by the balancing of two opposite forces; on the one hand that sort of internal disruptive power which reduced the American socialistic experiments (more than sixty in number) to less than an average of two years' duration each. On the other hand, while this tended to disperse, danger and hostility outside of the family tended to consolidate it.

Let no one imagine I overrate the extent of that external hostility.

If we read the barbarian laws, and judge therefrom what the Germans must have been five centuries before these were compiled, we shall realise that outside of his own hundred, death or slavery or, at the mildest, complete spoliation awaited every man incapable of defending himself. But at dates far later than these we can see the same symptoms very plainly. When the Anglo-Saxons were well settled in England, the laws of Ina directed that "if a far-coming man or a stranger journey through a wood out of the highway and neither shout nor blow his horn, he is to be held for a thief, and to be either slain or sold". So utterly distrustful were men of each other. (Thorpe, i., 117.) Even so late as 1285 in England, the Statute of Winchester prescribes that at all times (for there were then no periods of real peace) every borough and village was to have its gates shut at sunset, and that a body of men, four to twelve in number, was to watch at each gate until sunrise, arresting all who passed near the gate. By the same statute (cap. 5) it was enacted that on either side of every highway a space of 200 feet was to be kept clear of bushes, so that a man while travelling might get fair warning of the onset of his enemy, and so be able to defend himself. Thus within six centuries of our modern civilisation was everybody expected to guard his life and his property as best he might. But away in far earlier periods the man who moved out from the shelter of his kindred, though he might for a time escape, was doomed ere long to destruction or oppression.

Family Morals.

We see, therefore, that within the family men had every reason to learn the lessons of mutual forbearance. Those who slept in that cluster of huts, as night descended on the dark forest that stretched all around, harbouring who could tell what foes or envious marauders, would lay down their limbs to rest in a sense of exquisite security only when they felt the close contiguity of warm-hearted, strong-sinewed, and well-armed brethren and cousins. Though self-assertive in type, the individual would be willing to endure much and forgive a great deal in order to enjoy that sense of comfort and protection. The man who made himself obnoxious within the family would run the risk of being thrust forth, and we know that this was the chief penalty for misconduct in the early times. How often around the winter hearth or underneath the spreading tree on summer twilights must the grave debate have proceeded, and how often must the prayer of mother, the entreaty of wife, the tears of children, have secured for the culprit another chance! And incorrigible must have been the offender who failed to realise the doom that would await any future transgression, when he should be shaken like a rat from the bag while the terriers watch all round to seize it.

Thus discipline was maintained; thus usages of honesty, forbearance, and all the offices of household kindliness grew up within the family circle. Meantime the family as a whole was in a state of chronic warfare with all the neighbouring families. Out of these relations grew all the usages of war, of reprisal, of negotiation, of compromise, of compensation for injury, and of treaty rights and concessions. From the usages that grew up *within* the family sprang morality; from those that grew up *between* the families sprang law. These were at first most widely different in their nature, the one dependent upon natural love and the play of sympathy; the other dependent on fear and the expectation of retaliation. The difference is analogous to that which now obtains between the laws which preserve order within each country, and that body of usage which is known as international law. Within the state men deal with one another as justice and a sense of

right dictate. But between the states there is no morality; any strong state will seize the territory of a weaker one unless it has reason to dread the retaliation or jealous interference of other strong states. In the colonial policies of the European Powers, what check does any nation feel but the watchful fear of other nations? Morality of a certain degree of development regulates internal affairs, but the law of retaliation alone rules in matters of international concern. And until nations have learnt to submit to arbitration this will continue to be the case. What thus prevails now in regard to sovereign peoples formerly prevailed in regard to families; and we cannot too strongly contrast the usages of morality that grew up within the family and those of self-assertion and retaliation that grew up beyond it. So important is the distinction that I propose to inflict on the reader a pair of new words to express it. I shall designate as *perihestic* that body of usage which grew up around the family hearth, those modes of peaceful social life from which has sprung morality. I shall call *aphestic* that great body of usage from which has sprung all public law, but which originally consisted of the various expedients whereby family feuds were averted and revenges compromised. To this latter body of aphestic usage I shall devote the following chapter, but the remainder of the present will be occupied with a short sketch of the operation of perihestic usage in the growth of morals.

In his perihestic usage a man learnt from the family traditions to be respectful to authority, to be truthful, to be honest, to be chaste, to be courteous, and these virtues grew as matters of sympathy and personal regard. Fear played a subordinate part, but the chief agent was natural affection. In his aphestic usage man, as we shall see, learnt these things by way only of dread of the retaliation of the person he injured. The former alone was moral; the latter, involving the early growth of law, was only quasi-moral.

A true respect for age and constituted authority was of perihestic growth. The patriarch was the bond which kept the kinsmen together. His great-grandsons had little cohesion among themselves; they were only the children of

cousins, a degree of relationship to which we ourselves attach no great importance. How few of us keep up an intimacy with those who are the children of our father's cousins. The old man's grandsons being cousins might feel themselves truly related; but even then the presence of their one common ancestor would give greater definiteness and cohesion to the kinship. If, then, a family was to be large and powerful it must be gathered in strong devotion round the house-father; and if he had the reputation of remembered prowess, his sons and grandsons, yes, and his great-grandsons, would gather round him with affectionate pride. Not his the fate of the old outworn farmer among ourselves who dozes and grumbles unheeded at the chimney corner. Being the visible sign of a union on which depends the family's safety and prosperity, even at his oldest and frailest he is cherished; and when he is dead and passed away still do his sons teach their grandchildren to reverence the tomb and consult the spirit of him whose common fatherhood must bind them in affectionate strength to stay by each other and face their common foe.

But undoubtedly the highest degree of prosperity would attend the family whose house-father had been sagacious and brave. Not only would his descendants on the average inherit some of his qualities, but his tact would help to keep the whole well knit and comparatively free from internal strains. Moreover, as agriculture improved and slaves were acquired and the difficulty of food supply grew more remote, such a man might by his very renown keep together his great-great-grandsons, or even later descendants, long after he was himself departed. For it is an inevitable feature of human nature to take a pride in being associated with greatness. How did the British seaman exult when he found he was chosen for service on Nelson's own ship! How do the electors congratulate each other when the member for their district is chosen for a prominent office in the cabinet! What pride fills the parishioner's breast when he learns that his clergyman has been newly decked with august University honours! So does the renown of an ancestor reflect glory on all the family; so does it tend to keep the younger stock from hiving off and founding new families.

The veneration paid to the house-father never rested on positive law. It was a matter of perihestic usage. Danger all around, causing an ever-pressing need of union and obedience within, would render it an inwardly arising necessity, not an outward compulsion. When the modern regiment is hemmed in by overwhelming numbers, and a crisis is at hand, there is no need of service regulations to bid each man look to his officer, and scrupulously obey the least command of the colonel. So would the sons in those old ages of rapine and unceasing war turn their faces to the father; so would they train the grandsons to divine each wish and anticipate each order of their patriarch, who was the centre of their union and the source of their security. The authority of the old man could never depend only on his strength, which must generally have been less than that of a single one of the young fellows in their early prime. The rule which strength exerted was external to the family. Within that circle obedience must in general have been voluntary; a bondage willingly endured, because otherwise disunion and ruin were inevitable. The deference which each paid to the house-father arose from affections, habits, and reflections which operated within the mind of each.

In the face of danger a divided command is destruction; a competent autocrat is infinitely to be preferred. Naturally then all authority was delegated to the house-father, and thus arose that despotism, familiar to every Aryan and Semitic people, which the Romans called *patria potestas*. An awful dignity surrounded the old man, for the babe born into the household was taught from the first to reverence him. Bad, murderous men were outside; terrible beasts, malicious demons and manifold perils of an unknown world lay beyond the forest. Against these the house-father was always on his guard to save the family; implicit obedience of all to his wisdom and experience was the foundation of safety; and so a rooted custom of awe grew and intensified.

Yet the authority of the paterfamilias was always a delegated authority. In the natural family the power of the father may be a pure despotism, he having none under him

but women and children physically incapable of disputing his will. Not so in the case of these extended families. "They are as far as possible," says Maine, "from being patriarchal despotisms. Every male has a voice in the government." (*Early Law*, p. 244.) Hearn is equally explicit: "It seems that the house-father in the exercise of his authority was expected to act in a judicial capacity. He was not to follow his own caprice, but was to be the administrator of the customs. He usually acted with the advice of a family council." (*Aryan Household*, p. 99.) Hearn gives instances from Roman history which most clearly indicate this limitation, and show that the paterfamilias could not expose an infant, or put his wife to death or expel a disobedient son unless he had the feeling of the males of the family in his favour. In Plato's laws (xi., 9) we see that the father must not exercise an arbitrary jurisdiction, but must call a meeting of the male relatives to give their counsel. Coulanges quotes from Tacitus, Livy, and the Digests, evidence which fully sustains his contention that the paterfamilias consulted the entire family (males, of course), and raised it into a tribunal wherein he presided. (*La Cité Antique*, p. 102.)

We know that in the Sclavonic and oriental house-communities, all the corporate power of the family is delegated to the grandfather. He it is who buys and sells and negotiates; he it is who reprimands and allots to each his daily task, and so long as he acts in accordance with ancient usage the moral force of the whole will support him. If the general feeling is antagonistic or divided, then comes occasion for meetings and discussions; which, however, but rarely arises. The result is to give the house-father a nominal despotism, such as we give to the captain of a ship, though in reality strong checks are provided in the form of dormant responsibilities. It served admirably the cause of union and unquestioning obedience to exaggerate his power. Hence the extravagant theory of the *patria potestas* truly expressed the beliefs of our ancestors, though widely divergent from the hidden verities of the case. Ortolan thus explains the Roman view (*Hist. of Rom. Law*, sect. 88): "The hand of the paterfamilias was the symbol of power. Chattels, slaves, children, wife and free-

men, all were subject to him, in his manus." The words of Sir Henry Maine (*Ancient Law*, p. 138) vividly picture this authority. The house-father "has over his children the power of life and death, and, of course, of uncontrolled corporal punishment".

Coulanges tells us (p. 102) that "none but the father could be either plaintiff, defendant, accuser, accused or witness in a Roman Court". "A son," says Gaius (iv., 77), "cannot claim anything in a court of law, for he is incapable of possessing anything." An offence by a son against his father could give rise to no legal action, "because, inasmuch as it was a matter entirely within the family, it belonged solely to the father's jurisdiction".

Yet though theoretically absolute, the power of the house-father had one great restriction, and that one was enough. He was there to administer, not his own arbitrary will, but the good old customs of the family. In the barbarian mind there is little wish for innovation. What the fathers did, the sons desire to do. It saves a world of trouble to a lazy brain. There is no tedious balancing of the advantages of this course or of that; no assumption of unknown responsibilities. This was how our ancestors did it, and things came out fairly well with them. If we do the same we cannot go far astray.

And if this feeling is not too slavishly, too abjectly followed, it is a blessing. It gives continuity to society; it enables us to prophesy one another's conduct; it converts the jerky action of dissociated units into the smooth play of an extended mechanism. Within such a family as we are describing, matters would move forward in a daily routine, and in the establishment of such a routine there is immense comfort. In one of our modern homes, all go to rest at night with the tacit assurance that the master of the household will ere retiring see that the lights are out and the doors are locked; while it is a thing equally taken for granted that the mother will see all her babies tucked in safely. The father carves the joints and the mother dispenses the tea; the boys and girls respectively fall into their various grooves, not because the law wills it so, or any contract has so provided, or, as a rule, because the parents have so directed, but in

general simply by reason of usage. So in one of those larger households of the antique times, in what place each was to sit, and where to sleep, what share of the tasks he was to take and what share of the result; how he should address the other members and how be addressed by them—all these and every detail of intercourse would be very gradually yet very firmly fixed by usage, and every boy and girl would grow up to take the place and perform the exact duties long since taken or performed by their elders at the same age.

Now the influence of the house-father was mainly as the exponent of ancient usage. If he reprimanded some younger member for disregarding an old custom, all the seniors would know he spoke truly, and keep silence. If some unusual conjuncture arose, he alone would speak from prolonged experience, and all would listen to his statement of the manners of the past. So long as the old man's words kept each to the well-known routine, or taught the young what was well understood and assented to by their elders, his voice would seem law. But if he departed from usage, mutterings, arguments, and meetings would follow. The house-father then would well perceive that his power must rest on a strict administration of usage.

Nor would that usage be in any way vague and variable. We are apt to imagine that, without the control of some external law, customs would grow utterly irregular and chaotic, each family differing materially from every other. Yet among ourselves we do not find that this is the case. What law directs that men shall cut their hair short, while women suffer theirs to grow long? What law settles that when we meet we shall offer the right hand and never the left? Pass through a village or down a suburban street at nine o'clock in the evening; you will find almost every house still lit up and the people astir; pass again only two or three hours later, you will scarce find a house with a light in it; you will hear no signs of life around you. What sends the people to bed so generally between ten and eleven, summer or winter, irrespective of the setting of the sun? All these things depend on the power of usage, which for the great majority fixes the hour of rising in the morning, the hour of starting work,

the hour of leaving off, the hours of meals and all the general routine of the day. And this usage is more powerful than any law. Men wear trousers and women petticoats under compulsion of a usage which is infinitely more powerful than statutes.

Among the perihestic usages which the house-father administers there is much that is mere convenience, there is more or less that is fantastic and with no right meaning, but there is also morality. Blows and bloodshed within the household are from infancy suppressed and condemned. Even while the youth is trained to fight against all outside, and taught to glory in the blood-stained trophies of the slaughtered foe, all custom, all teaching, every influence, inclines brothers and kinsmen within the family to live in harmony.

Perihestic usage likewise teaches honesty. Long centuries of friction lead to a compromise between the claims of the individual and the claims of the family. Honesty in the abstract is an unknown ideal. The family will plunder every other family, or strip the chance outsider of all he has. But honesty as a domestic comfort, as a means of keeping the peace within the family, is fully understood. Every man is to do that share of the work and enjoy that share of the proceeds which usage allots to him. So also with truth. When a man is dealing with men of other families he may lie like an ambassador, and the story of his cleverness and deceit when he returns home will be greeted with laughter and applause. But, within the family, usage never suffers that man wilfully to deceive, for it is fundamentally essential to the comfort, union, and consequent strength of the family that each should be able to rely on the word of all the others. There is needed no external commandment to make the enforcement of truth a usage. Every child soon understands the resentment of all whom he has purposely deceived.

The first ideal of chastity, apart from rights of marital purchase, was strictly perihestic, and corresponded somewhat to our views with regard to incest; but subsequently, as the usages of retaliation which formed that body of aphestic custom called public law provided that a man of one family should not injure a man of a neighbouring family by inter-

fering with his wife, then the idea of adultery became included in the general notion with regard to chastity. We have already seen that equally among ancient Greeks and Romans and Jews and Teutons this was the utmost stretch to which ideas of sexual virtue had reached. A man could be immoral in regard to a kinswoman, unjust in regard to a neighbour's wife, but he could be in no way sinful in regard to slave or captive.

True morality, then, in this respect grows up within the family. Even now it is strongest there, and dies off in proportion to the distance from the family. Captain Cook's officers, who gratified themselves with the dusky beauties of every island they visited, would have loathed the thought of injuring sister or niece; most of them would have felt too gentlemanly to seduce a maiden of their own rank or circle; but as for inferior ranks, as for women of foreign lands, as for women of another colour, in proportion as the circumstances were remote from their own family, which was in truth the centre of their moral feeling, so did the conception of chastity as a general ideal fade away. That was once the attitude of all men, as it is to-day of a considerable proportion.

There is no great difficulty in understanding how the perihestic notion of chastity grew up within a race of strong sexual jealousy. It sprang naturally out of circumstances connected with a deep-rooted principle of human nature, the fact that novelty counts for much in the process of falling in love. When a boy and girl have grown up together in constant familiarity, they will not readily fall into any romantic affection. There is much of truth in the dictum of Jeremy Bentham: "Individuals accustomed to see each other and know each other from an age which is capable neither of conceiving desire nor of inspiring it, will see each other with the same eyes to the end of life". (*Theory of Legislation*, part iii., chap. v.)

But when the youth has reached impressionable age, it is the voice, the sight, the touch of maiden never seen before that sets his blood a-throbbing and kindles the thrill of bewitching emotion. It is when the handsome stranger bends on her his looks of fancy-smitten admiration that the maiden

first feels a conscious something whose blush is one of pleasure, as much as of modesty. With the boys of her own household she long has squabbled and made friends; she likes them; in their way they are heroes to her, but they are not the heroes of the youthful dream of love. The sense of conquest, when the stalwart youth from another family confesses the power of her beauty, is a wholly different matter. Among ourselves, nineteen out of twenty marriages take place between persons who have never seen one another until old enough to be impressed with the sight of each other, thrilled by the voice, and electrified by the touch.

When sexual jealousy is small this will not of itself develop the ideal of perihestic chastity. The youth as he grows to years of wakening impulse would readily gratify himself with the girls of his own household even though the grand passion of his life should be reserved for the beauty seen without. But if sexual jealousy is strong, as in Semitic or Aryan type, other conditions arise. Suppose that a youth has grown enamoured of a maiden in a neighbouring family. The house-father of his community demands her in marriage for him; the maiden's family state their price, or probably there is a certain value fixed by usage. But when the negotiations are partly completed, the youth finds that his intended bride is far from pure; he learns that she has been taught lewdness by the youth of her own family. In many races this would hardly matter, but with the Aryan there would rise a sense of disgust, and the match would be broken off with words of contumely. Still worse if the marriage had been effected, and the bride discovered to be contaminated; then, we know how disdainfully she would be returned, perhaps to be put to death as the Mosaic legislation directed. (Deut. xxii. 21.) For nothing could more seriously anger her family than to be compelled ignominiously to restore the price, or else to fight a feud under terms of reproach and insult which they knew to be true.

Under these circumstances, in a monogamous people among whom sexual jealousy was well developed, there would be every inducement for the elders of the family to conserve the chastity of the girls. Such a practice would necessarily arise

from the two prevailing customs of exogamy and the purchase of wives. Exogamy is the necessary result of the principle of human nature already described, according to which the young man is much more susceptible of the tender passion in regard to the unknown maiden without, than in regard to the too familiar maiden within.

When it has grown more or less customary for the youth to seek his bride, not from the girls of the household whom he holds in familiar affection as sisters, but from the beauties beheld outside of the family, then accessory conditions will arise to give this growing usage a commanding strength. The family will be able to secure a good price for a pure maiden demanded in marriage for a youth of another family. Every care will be taken that her value is not depreciated. Moreover, in the constant patching up of feuds, a maiden to be given in marriage to some enamoured youth was a great resource of family negotiations, as in the Europe of five centuries ago it was in political arrangements.

Even where the natural tendency of the youth to form his absorbing passion for the unfamiliar maiden is not strongly operative, the elders of the household would in general encourage it. For nothing could more conduce to the disruption of a family than the occurrence of amorous rivalries and jealousies within it. If a maiden were so comely as to steal the hearts of two or three of her cousins dwelling round the same hearth; if, moreover, an unmarried uncle or two should urge his pretensions, then discord and enfeeblement must inevitably lie in the immediate future for that household. As Jeremy Bentham puts it (*Theory of Legislation*, part iii., chap. v.): "The family—that retreat where repose ought to be found in the bosom of order—becomes the prey of all the inquietudes of rivalry, and all the furies of passion. Suspicions banish confidence, and eternal enmities take the place of the tenderest sentiments of the heart."

Thus it would become wise for the house-father and all the elders of the household to encourage the natural tendency to look outside for wives, by teaching the boys from the very beginning, that the girls of the family were not for them, and so an exogamy of mere sentiment would become an exogamy of strict usage.

It would happen, therefore, that though men had no conception of any general idea of chastity for themselves, two very definite ideas would nevertheless grow up, the one that a maiden who had lost her virtue was thereby reduced in value, and became a disgrace to her family when it sought to place her in marriage; the other that it was most dishonourable for a man to make use of his familiarity in the household to debauch his kinswoman, thus entailing loss of price to the whole family, and causing it to experience all those bitter feelings which with us the tradesman knows when the article he has sold is returned to him with an expression of scorn. For we are all well aware what a deep stain it was on the honour of every kinsman when a girl was publicly declared no maid.

This is the only valid explanation of the idea of incest. It is futile to urge the old belief in an innate instinct, for if that were the reason, a general uniformity must be expected; but there is nothing of the sort to be found. Some nations tolerate, some heartily approve the marriage of first cousins; others utterly execrate it, and forbid even the union of third cousins. Sometimes the marriage of uncle and niece or of nephew and aunt is forbidden with horror; sometimes it is held to be innocent enough; many nations, and among them the ancient Celts, allowed a man to marry his stepmother, and we have seen how many are the peoples which permit or have permitted a son to take all his father's wives except his own mother. How uncertain are we ourselves as to the propriety of marriage with a sister-in-law or brother-in-law. In all the discussion as to marriage with a deceased wife's sister, has there ever been any sign of a uniform instinct to guide us?

The nearer we get to the very closest relationships, the more we approach a certain degree of uniformity. May a man take his half-sister to wife? Abraham saw no harm in such a connection (Genesis xx. 12), and most of the Greeks were more or less of that opinion. Westermarck (*Hist. of Human Marriage*) gives a list of twenty-two people who are known beyond doubt to have readily permitted such unions. But the marriage of full brothers and sisters has been rarely

tolerated by any people, while the union of father and daughter, or of mother and son, is allowed only among the most degraded savages. But it is clear that the whole matter is too vague and variable to be the result of a race instinct.

It is equally futile to attribute it, as is now often done, to a knowledge of the results of inbreeding. This would be to attribute to savages a definite comprehension of physiological effects as to which the most advanced science is yet uncertain. It is to assume that people who married their girls at eleven years of age and put to death their offspring, were yet deeply solicitous about the evils of marrying cousins.

Moreover, both of these explanations are put out of court by the fact that the prohibition always extended as much to foster-relationships, as to those of blood. If a man might not marry his sister, he might not marry his foster-sister, though neither instinct nor physiological reason could be alleged for the prohibition. A man was no more at liberty to marry his foster-daughter than to marry his real daughter. Among ourselves it would be a most unseemly thing for a man to marry his adopted daughter, or for a woman to marry the man whom as a baby she had suckled. Yet neither law nor physiology forbids. It is merely sentiment that declares how unpleasant it seems for tender relationships of a wholly different sort to be smirched by the intrusion of sexual desires.

Chastity is thus seen to be a virtue which, in the case of men, seems in the ordinary practical conceptions of the average community to lessen in its obligation as it recedes from the family circle, to strengthen in its authority as it nears the heart of that original fountain of all moral feeling; and at its nearest it gathers a fresh intensity, a superior degree of control, so that the breach of it acquires the new name of incest; yet where incest ends and mere immorality begins is one of the vaguest of lines of demarcation, because there is no real distinction but only subtly graded degrees of condemnation.

It is the Family which Infuses Morality into the Law.

Thus we see that moral rules as to bloodshed, honesty, truth, chastity are all, by birth, of family growth. Slay, rob, deceive, ravish as much as you please all those outside the family. Such is the feeling of a primitive community. But within it, learn the lessons of forbearance, of honesty, of sincerity, of sexual restraint, because only thereby can the family be held together; only thus can it become the safety and the security of all. So there grew up sentiments in accordance with these necessary usages; these were the customary laws which the house-father administered in the daily life of the household. Eventually they crept into the public law that sprang up long afterwards. But we know that all which was moral in any of the ancient codes was incorporated from family usage and from perihestic sentiments long antecedent in their origin.

As Coulanges tells us (p. 93), "the state did not make the law; it was there in the form of family usage before the state existed". The statutes which it wrote, it found already established, living, and deeply rooted in familiar customs. The ancient sense of right and wrong is no work of legislators; "on the contrary," he says, "it took its birth in the family, and was thence imposed upon the legislator". And again he repeats (p. 104) that "in the early ages morality was exclusively domestic". But, indeed, this is the necessary origin of all morality; for no truly moral feeling can be imposed upon us by external authority. As T. H. Green very truly says (*Prolegomena*, p. 356), "all that a purely external authority can impose is a command enforced by fear," and this is in no way moral; for as he remarks in the same place, "it is the essence of morality that it is a rule which a man imposes on himself, and for another motive than the fear of punishment" (p. 354).

It is true that this perihestic growth of moral feeling has not been wholly destitute of some admixture of fear. No one in the family would be allowed to act exactly as he pleased. He would certainly have some cause to fear the anger, the

punishment, the retaliation of others. And yet it was the peculiar merit of that right conduct, which grew up among the family, that it found its chief causes within a man and not outside of him. The veneration and obedience to the old house-father was due much less to fear of him than to love and affectionate pride; honesty may be a hard lesson to learn in regard to strangers, it may then require blows and imprisonment to enforce it; but it needs a hard heart to cheat and deceive a brother; the warrior may ravish all the women who fall into his power, but a natural sentiment of affection and protecting pity will save his near and intimate kinswoman from his passions. Even when a man's chief delight and glory lay in combat, in blows, and bloodshed for all beyond the family, he would in his own heart, without external compulsion, feel ashamed of the hand that struck a kinsman, he would feel little pride in the weapon that drank the blood of the brother who dwelt in the same household. Out of the growth of these home sympathies came morality. In the next chapter we shall see how utterly different in origin was the law. It is true that eventually each intruded on the sphere of the other. Ethic feeling invaded that system of retaliation and compromises which formed the law, while law extended its power into the limits of the family. But in all the history of our Aryan race, true morality has been a thing of slow, unnoticed and unchronicled development, as the sympathies of the extended family deepened and widened round the hearth.

And there were circumstances which, with the progress of time, would give to the morality of the family a certain independence and absoluteness of character, such as would raise the ideal and bid men conform to it not by fear of aught outside, but by the influence of their own aspirations. Follow in imagination the fortunes of a successful family, whose members are harmoniously united among themselves, but brave and terrible to all around. Sons, grandsons, and great-grandsons, rallied round the wisdom of the old house-father, have waged many a war, and broken up many a less united or less competent family whose conquered remnants dwell in subservience. The victorious kindred withdraw from menial

work; they leave the farm labour, the care of the cattle to those who are glad to purchase life and security at the expense of freedom. But the conquerors have to keep by the sword what they have won by the sword, and though their immediate neighbours are subdued, there are other successful families beyond their limits who are equally asserting their might, and with whom war is chronic. The successful family builds its homes on some hill or height, and there its ramparts rise. Clustering near for protection, the clients or serfs or helots build their huts, and far and near, the débris of unsuccessful families, those broken by stress of drought or famine, internal discord, or the pressure of enemies, gather from year to year around the fortress; then a hamlet, a village, a town may slowly grow. So does Coulanges describe the early birth of our modern cities, and the names of nearly half the towns of Europe still record that this was their origin. Every German town in "berg" or "burg," every English one in "borough" or "don"; every French town in "mont," every Italian town in "monte," these and others, numbering some thousand altogether, recall the time when the successful kindred dwelt on high upon the rock, and the feeble folk ranged their fragile homes close under its sheltering shadow.

From the class distinctions that thus arose there came the sense of the obligations attached to birth. These were not always wholly moral; indeed they were sometimes most immoral in regard to the licence which the strong demanded in regard to the weak. But yet there was a certain standard of courtesy, of considerateness; a certain shame of meanness, a certain general magnanimity which the well-born felt a pride in exhibiting. The poor plebeian had no character to maintain, no pride in handing down to his son a name set like a jewel in the praises of every tongue. He lived, and ate, and then to-morrow he died. But the patrician had within him a motive to aim at what to him seemed a lofty ideal; he had to maintain the traditions of the family, and so was actuated, not only by the sentiments of the domestic sympathies, found fortunately under the humblest roof, but also by a strong sentiment of self-respect, which we have seen to be one of the surest foundations of a true morality.

The evil side of this development was the pride of birth, a thing inevitable under the circumstances. Whether a youth was to share the heavy toils of those around the hill, or the privileges and glory of those who dwelt upon it, would depend upon the questions, who had been his father? had his mother been joined to the family on honourable terms? or was she only a captive or handmaid? Now in any one of these extended families the mother's kindred would soon be forgotten. Each generation would bring in its wives from abroad, and the relationships of the women would be utterly faded from memory in a century afterwards. Not so with the father's ancestors. For each man would hold his privileges by virtue of his strictly agnatic descent within the family. Whenever he traced back his pedigree, so soon as he reached a female, he was carried out of the family. Not so if he traced from male to male. A line of strictly male ancestry would lie wholly within the family. But this is a process which produces great narrowness. Every person has eight great-grandparents, but only one of these is joined to him by a strictly agnatic line. In other words his father's father's father is only one person. All his other great-grandparents are joined to him somewhere through a female. Eight generations back he had 256 ancestors. Still only one of these is joined to him in the strictly male line. Every other ancestor is joined to him somewhere by a woman, and, therefore, when he tries to prolong his pedigree in that direction he is carried out of the family into obscurity.

Two centuries back, therefore, one man would be singled out from a hundred in this way to be the hero, the ancestor. In himself he might have been as commonplace as some of the mediæval ruffians who, by the artificial process of entailing estates, have been thus singled out to posterity as the important individual out of the million progenitors whom (barring the effects of intermarriage) each of us must have had some twenty generations past. But to be one man singled out of 1,000,000 is to be in a measure unique, and rarity among ancestors, as among postage stamps, gives an astonishing value to a thing in itself ugly and unlovable. In the case of a purely agnatic ancestor, the value of the connec-

tion lay in the privilege of being entitled by it to rank with the nobles on the hill, and to lord it over the crowd, who by reason of the vicissitudes of their family fortunes had no traceable pedigree.

Pride of birth, therefore, was inevitable, and its effect would certainly be to keep the kindred together to remote generations. Men whose relationships to each other were much too thin to be mutually appreciable would still be closely bound by the fact that they could maintain their privileges in tracing descent from the same eponymous hero. Thus the family extended out into the gens, the maeg, the clan; it swelled from fifty or sixty to 500 or 600, who with their dependants made solid bodies of some thousands of persons Every man who claimed this glorious ancestry, though made more free from outward restraint, became less free from an inner control. The serf was unfree in the sense that he had to obey or suffer; but he might be as cowardly as he pleased, he might weep or snivel, he might cringe and fawn, he might beg his life in prostrate fear; he might, where he could with impunity, show himself greedy and lying.

But the man with a name, a kindred, an ancestry, was bound by restrictions acting from within, and every language of Europe bears testimony to the moral ideal thus begotten. When a "noble" act is spoken of, it is something such as was expected of a man sprung from a well-known race; when we talk of a "villainous" deed, we use a word that implies the sort of thing properly belonging to the servile crowd. With us the word "gentleman" originally implied only a man sprung from a well-known family; but it involves now-a-days every idea of honourableness and right feeling. Such words as *kind*, *gentle*, *liberal*, *generous*, *honest* and a crowd of others show us by their derivation what were the qualities expected of the man who had the traditions of kin, or gens, or genus to maintain.

Hence, along with much that was odious, and which time is therefore destroying, there was in the institution of nobility a great deal which has formed the germ of a lofty moral ideal; of that sense of duty which springs from no fear of punishment, but from loyalty to all which is expected of

a man, not only by his kinsmen but by himself. Nobility with us is a spurious sort of thing; it may be bestowed by sovereign or political party; or it may be won by the merit of the individual as a sort of pewter badge on a silver vase; but with our forefathers it was innate and unchangeable. The base-born man could no more be made noble than he could be made a woman. But to grow up from childhood with the sense of a glorious birthright, while it is apt to make a man arrogant and haughty, gives him a bearing, a dignity, a contempt of meanness; it gives him an easy stateliness, an unobtrusive self-respect which we expect to mark off the professor's son from the butcher boy; the well-bred colonel from the newly recruited farm labourer. It is to be remembered, of course, that all this is not the fundamental morality; that the butcher boy may be an honester lad than the professor's son. But the two types, that of simple worth and that of noble bearing, are not in the least inconsistent; and we may accurately say that the perfect man occurs where these two blend; wherein, to the kindliness, good-heartedness and simple honesty of the one, there are added the courage, high spirit, courtesy and grace of the other.

Both types were engendered within the family; the former in the natural or extended family by the development of all those sympathies between kinsmen which kept them a united and harmonious and therefore conquering band; the latter were developed in that still more extended family, the gens or clan, by reason of the *esprit de corps*, the member's pride, the sense of the obligation of nobility which arose when the individual was able, as a mere matter of birth, to assert a superiority, and to share in present privileges and in the memory of bygone glories.

CHAPTER XX.

THE GROWTH OF LAW.

Individual Responsibility Extended no Farther than the Family.

The member of a family had only the one sort of responsibility, that which regarded the family. He had as an individual no responsibilities whatsoever to those outside the family. In all external relations, it was for the whole family to treat with another family as a whole, generally by the voice of the house-father. Suppose that in those primitive days of our Aryan race, a man met another and, after challenging him to fight, slew him, there could be no sort of wrong in the act. But the family of the man who had been slain had suffered an injury. The kinsmen would arm themselves for retaliation. The slayer meantime would be in refuge among his kindred. Thereupon one of three things might happen. The family might applaud his courage, and commend his deed; in that case its spearmen must make them ready for the fight. Or perhaps the family disapproves his deed, yet prepares to defend him; whereupon he is responsible to it for all the woes and labours that ensue; he hears abundantly of his folly, and he tastes all the bitterness of their resentment, but his responsibility is wholly to them. So long as they are willing and able to defend him he fears no others. In the third case the man whose hot blood, whose lusts or avarice frequently embroiled his family, might be expelled; but just as the soldier is, for the blood he sheds, responsible only to his own countrymen, but in respect of the enemy knows nothing of responsibility, so the ancient individual was responsible to those of his own kindred, but to no other.

In course of time, however, when families found that retaliation meant feud and damage with constant watchfulness and anxiety on both sides for weary months, they grew more wary of entering into quarrels. When a wrong was inflicted the injured family marched out for vengeance, the family of the injurer stood to its arms, but if both were really somewhat reluctant to fight, negotiations ensued. These might take the form of a demand from one side that the other should hand over the evil-doer for death, and this was sometimes, though rarely, agreed to. More generally his family offered a certain composition, and the avengers, angry, yet cautious, would not be disinclined to suffer their wrath to be mollified; for with Shylock they had learnt that—

> A pound of man's flesh taken from a man
> Is not so estimable, profitable neither,
> As flesh of muttons, beefs, or goats,

and, though they haggled perhaps over the amount that would be sufficient to smooth away their vengeance, they took the cattle and withdrew.

In all such negotiations, the individual never appeared. The whole family was liable, it paid the compensation out of its common property, and no special share of this indemnity went to widow or children of the dead man, nor even to the individual if he had been only maimed or otherwise injured. The whole of one family paid, and the whole of the other received. This is primitive justice, for as the sufferer could have gained nothing by his own individual spear, as the compensation had been won by the spears of all, among all must it be divided.

In these primitive families it is above everything necessary that all should stand by one another. Paris may be recognised by his fellow-Trojans as an evil-doer, but they protect him, and fight for him all the same. For on all but the highest ethical grades it is the part of the staunchest good-fellowship to stick by a member whether he be right or wrong. Among themselves they may discuss the matter; but to outsiders they show a solid front, and this is an undoubted means of strength. If the family as a whole propose

to hand over the delinquent to the enemy, it is very likely that his father or his brothers or his sons may take his part, affection being too strong for the primitive sense of justice, and so the household becomes torn with faction. In all these early Aryan peoples, therefore, the family in all things acted as a corporate whole, and the individual was unknown as a responsible party. And long after the progress of society had largely broken down the family organisation, the old belief prevailed that all a man's kinsmen must share in the penalty of his misdeed, and equally share in the compensation tendered for an injury received by him. Kemble, in his *Saxons in England* (i., 235), shows that the Angles, just before their emigration, still held the whole maegburg or kindred responsible for the evil done by any of its members, while those thus responsible on the one hand were entitled on the other to share among them the compensation paid for his murder or mutilation, or for any wrong done to his wife or daughter, or any injury whatsoever, that he might suffer. As this chapter proceeds it will provide abundance of examples of the same spirit.

If, therefore, we are to realise the manner of growth of public law, we must forget the responsibility of the individual, so deeply rooted in our modern feeling. We must think of the family as the unit; we must imagine how before fighting, or after fighting, the belligerent groups made treaties between themselves; how these treaties became precedents, and how a system of settled compensations called by the Teutons wergilds, but found with varying names among every Aryan people, grew up in consequence. In these there was no faintest pretence of moral feeling any more than last century there was in the negotiations of two rival nations. Yet beyond the slightest doubt they were the origin of all that we know as law.

In order that the course of progress may be the more easily followed I shall divide the whole story into twelve stages, of which the first five will be related in this chapter and the remainder in the next. These are very far from being as sharply divided as this arrangement would suggest; the table is not chronological, but yet it may give a very

general idea of the sort of sequence that obtained. For instance, it is not till the eleventh stage that I deal with the intrusion of moral ideals on the legal domain, because not till then did the process become strongly marked; but from the fourth stage, or even earlier, a steady though extremely slow infiltration of ethical feeling from perihestic usage becomes apparent.

Stage I. Retaliation and chronic feud.

Stage II. Feuds avoided by payment of compensation.

Stage III. Compromises facilitated by the aid of arbitration.

Stage IV. The function of arbitrating passes by slow degrees into the hands of some definite family or influential leader, who, however, is supposed to follow in his decisions the precedents of older times.

Stage V. The traditionary maxims and precedents are reduced to formal codes, whether written or oral.

Stage VI. As the integration of society proceeds, the central power (or king) exercises some compulsion in compromising feuds by the application of the ancient maxims.

Stage VII. The king compels the family of the injurer to pay not only the customary wergild to the injured family, but also the fredum or fine claimed by himself as the penalty for provoking a breach of the peace.

Stage VIII. Wealth increasing, while the old scales of compensation remain sacred, the wergild becomes relatively unimportant, but the fredum, being less fixed by old custom, is augmented till at length it grows out of all proportion to the wergild. Hence the penalty ceases to be for the injury done, but is now imposed for the breaking of the "King's Peace".

Stage IX. Growing complication of industrial organisation destroys the ancient family unions; the social molecule now becomes the local fellowship; those who live in the same hundred or the same parish form the new unit. Law ceases to bear the aspect of a retaliatory process of one family against another. It arises from the action of the central authority in maintaining order, but still chiefly follows the lines of old custom.

Stage X. As the central authority asserts itself, it has an area of increasing width over which its jurisdiction extends. Hence arises delegated authority; so also courts of justice.

Stage XI. Equity appears. Law has so far been unconcerned with the wrongfulness of conduct. Its business has been only with injuriousness of conduct. It has recognised the right of a man to retaliate an injury, but it has rendered that retaliation systematic and orderly, so as to put an end to reprisals and consequent feuds. But by degrees the lessons of perihestic usage, which have become part of the daily life of the people, begin to tinge the laws. Public statutes thus assume a moral cast. But this development is still very imperfect. No legal code ever yet put in practice has embodied more than a part of the current moral feeling.

Stage XII. The law adds to its repressive function some care for the reformation of the delinquent. The brotherhood of all men in the community tends to become an axiom in place of the old feeling that all outside of a man's family are his natural enemies.

I.—Retaliation and Feud.

In the first stage there was no check to a man's action save the fear of retaliation. On the other hand, retaliation was absolutely necessary. The man who will suffer another to strike him, wound him, rob him without the least resentment, is either too good or too mean-spirited to exist in primitive society. Most assuredly he would be crushed out. He who could see his wife outraged and his children slain without feeling his blood boil would leave but small posterity. Only such natural resentment as will make the malicious pause ere injuring can possibly render life tolerable in the early phases of communities. This is the natural system still found among all savages. Of the North American Indians Schoolcraft says (i., 207): "I have never known any other punishment inflicted than personal satisfaction". "All offences

committed against any member of a family are avenged by the family" (ii., 131). "Every man acts for himself and avenges his own injuries according to his own judgment." "All offences are punished by the aggrieved party."

Similarly, of the Eskimo, Hall tells us (ii., 317): "If a murder is committed the nearest relative kills the murderer". Of the Guiana tribes Brett tells us (p. 104): "When any crime such as murder was committed, they followed strictly the law of retaliation". Edwards says of the Caribs: "Retaliation was their only law". And Wallace asserts of the Brazilian tribes (*Amazons*, p. 347): "They have little law of any kind; what they have is of strict retaliation". Fitzroy gives the same sort of testimony for the Patagonians, and Thompson for the Araucanians. A huge list might be made out, but the fact is too well known to be contested. When missionaries and other visitors seem to see a high moral sense in savages, it is often only an apprehension, grown instinctive, of the kind of conduct that will evoke retaliation.

So also it is in history. Far back in the dim dawn of every race we reach the time when retaliation was the only law. Koenigswärter, in an interesting chapter of his *Développement de la Société Humaine* (part ii., chap. i.), shows that this system alone prevailed among early Greeks and Romans, among Jews of the times long anterior to Moses; among Arabs and the wandering tribes of Asia. Persians and Slavs and Teutons and Celts, Russians, Poles, Hungarians, Bohemians, Moravians, Servians, all are in that chapter shown to have recognised no form of redress save that which each man, or rather each family, could win with the right hand. In those days it would have seemed absurd to tell a man he had no right to kill another who had struck him or robbed him or insulted his wife. Among the ruder portions of our own population it still seems a mean thing to appeal to the police; the manly course is to fight out a quarrel on the spot. So, too, a couple of centuries ago, old Napier expressed the fundamental feeling of the Highland clans that no laws could do away with a man's natural claim for personal revenge. "All is dishonour," he exclaimed, "where there is not eye for eye, and tooth for tooth."

II.—Compensation.

Somewhere about the level of the higher savages, or more generally of the lower barbarians, the increase of settled life, and the possession of huts and crops liable to destruction in war, produce a greater appreciation of the advantages of peace. Feuds are now avoided by the payment of compensation. According to Morgan (*League of the Iroquois*, p. 331), if an Iroquois committed a murder, a feud was at once established between the two families, unless, as was sometimes done, the relatives of the murderer refused to stand by him; or, unless, as was far more often the case, they agreed to make a payment in wampum or other property to the family of the murdered man. Galton tells us that among the Damaras a murder will commence a feud unless the family of the murderer pays two oxen to that of the person slain. Of the Maoris, Thomson says (i., 123): "Revenge was one of a chief's first duties; an insulted New Zealander would rush to his tribe and relate the injury he had suffered; then, if payment were refused, war might ensue. Land and women were the chief causes of strife. They were cautious of rushing into wars, and in every dispute mediations were gladly accepted until blood was actually shed. Every offence but murder had some pecuniary equivalent."

Guinnard states that the Patagonians (or Araucanians) "put to death the enemies of a slain person, unless they agree to pay a heavy ransom" (p. 179), and among all the more primitive negro races, with no exceptions that I have noticed, murder can be atoned for with a sufficient payment. Brookes says that among the Dyaks the ordinary compensation for murder is worth about eight pounds sterling; and St. John says that adultery is compounded for by a customary fine to the family that has been aggrieved. Some barbarian races, more vindictive or less avaricious than others, are with greater difficulty induced to forego the blood penalty for a payment; but there is none, so far as I know, in which it is not more or less customary to accept compensation and avoid a feud. No doubt when a man has lost a favourite son, or has seen his wife slaughtered cruelly, he may sometimes refuse utterly

in the rage of his grief to take anything less than the life of the murderer. But if the latter is protected by his people, the sufferer can do nothing unless with the help of his kinsmen, and these are very likely to be reluctant to undergo all the trouble, the loss, and the hazards of war. They will compel him to accept the compensation, more especially as all will share in the price that is to be paid.

History tells us that this was the practice of all races as they passed through their early barbaric phases. Among the Greeks, the original meaning of ποινή, as of *poena* among the Romans, was, in the words of Liddell and Scott, "a ransom paid for the shedding of blood". Other names in Greece for this well-known compensation were λύτρον and ὑποφόνια. Among the Germans it was called *wergild*, among the Anglo-Saxons *were*, among the Scandinavians *bote*. Koenigswärter (p. 84) gives the analogous terms among Celts, Russians, Servians, Circassians, and Arabs. These payments were always originally made with property, in Europe generally with cattle. In early Greece it was always so, though in Homer's description of the sculpture on the shield of Achilles the payment is certainly in gold (*Iliad*, xviii., 497); probably there was then a time of transition.

> And in the market-place were met the folk to hear the strife
> Of men that wrangled for the price of a man's murdered life;
> And loud the people cheered them on, as each its favour won,
> Till thunder-throated heralds bade their babblement be done.
>
> Lo, on the polished stones there sat, within the sacred ring,
> The grave old men, who bore in hand those wands that heralds bring,
> And in the midst the talents lay of gold that his should be
> Among these twain whose lips the truth should speak most manfully.

Yet we know that cattle were, in the earlier times of the Greeks, alone used for such compositions, and even in the laws of Draco, as mentioned by Pollux (*Onomasticon*, ix., 61), payments for crimes are estimated in cattle. Tacitus (*Germ.*, 12) states that the Germans compounded for all crimes, including homicide, with a payment of oxen or horses. Many centuries later the laws of the Ripuarians provided

that while the murder of a Frank was to be atoned for with the payment of 200 shillings, that of a Burgundian with 160 shillings, and of a Roman with 100 shillings, yet if the murderer chose to pay in cattle, each ox was to be valued at two shillings, each cow at one shilling. (Law 36, Lindenbrog's collection.)

After it had happened for some generations that feuds were customarily avoided or healed by payment of compensation, the amount thus to be paid became largely regulated by precedent. For man is most emphatically a creature of imitation. If a workman does for me a piece of work such as he has never done before, when I come to pay him he wants to know what I have been accustomed to pay to others; or perhaps he makes his own inquiries from those more used to the work to discover what is the regular rate. If a new institution is to be founded in a city, a natural and wise instinct sets people to gather information as to all previous institutions of similar nature in other cities. So it must have happened that when negotiations began as to compensation for some injury, the main inquiry would turn on the question as to what had been done of old. A chain of precedents handed down from age to age, would gather a venerable power wherein is to be found the first great strength of public law.

III.—Arbitration.

In such a case the settlement of disputes must have been left principally in the hands of the elders of each family, those who knew best the custom of old times. Homer's picture, already quoted, carries us a step farther and shows not only the elders of the contending families, but those of several families called together, whose united experience might give to the decision a deeper respect. Round them are gathered the people to hear the wisdom of the past, to lend the weight of their influence and compel the losing side to accept the judgment and refrain from troubling the land with strife. Thus in Athens, even at a late date, as we read in Aristotle's recently recovered account of its constitution, disputes were

settled by arbitrators of at least sixty years of age. If their decision satisfied both sides, the matter was ended, but if the losing disputant refused to abide by the judgment, then the case went before a court of 201 citizens for minor matters, but of 401 citizens for those more grave; these larger bodies were demonstrably the lineal descendants of the agora, the folk-moot, the people who came to listen to the judgment and support it. (Aristotle, chap. liii.)

Among the ancient Irish, as Professor Cherry tells us, self-redress was at first the only means of justice; the whole family, however, being responsible for the delinquencies of each member. The first step in the growth of law was the right of expiating a crime by money and so of buying off the fear of vengeance. There was, however, no sort of law to regulate any such matter, the price was by agreement between the families; if a dispute arose as to this price, the quarrel was referred to the Brehon, or bard, who by common consent was the general arbitrator, he being specially versed in the manners of the past.

Even now, all over the world, wherever men stand on the level of middle and upper barbarism, and sometimes even a stage higher, there is no law save only that of the elders, who decide according to such customs as have grown up out of the precedents of other days. Even where, as among the negroes, this system seems to be crushed under the autocracy of a powerful chief, it is still in truth the essential feature of justice. Though an Agamemnon be the king of men, yet the people are tenacious of old customs in the settlement of their disputes, and the elders are still the true arbitrators. Perrin, in his work *L'Afghanistan* (p. 56), tells us that still among the Afghans "everybody has the right to do himself justice with his own hands, the practice being eye for eye and tooth for tooth. But every family is under its white-beard," and there is always "some attempt made to mediate between contending families, some tribes showing no little energy in compelling a recalcitrant family to submit to the decision of the elders" (p. 64). Yet we must be careful to remember, as Sir James Stephen warns us (*Hist. of Criminal Law*, ii., 60), that "the object of the law-maker was rather to reconcile an-

tagonists upon established terms than to put down crimes by the establishment of a system of criminal law".

A second thing to be remembered is, as already shown, that the criminal responsibility was not personal. It belonged to the whole family. By the Salic law (tit. 63), a man could by a public announcement free himself from all responsibility for damages inflicted by any of the rest of the family, but this was a late development, and he who took this extreme step was expressly shut off from the family, and probably lost all his claim to the protection of the family. Yet in the course of progress, family associations ceased to have this exclusive control, and in general it is a tolerably sure sign of the first stage of civilisation when a delinquent himself, and not his whole family, begins to be held responsible for an injury. For it will easily be seen that when crime is atoned for by a payment it is not until the development of individual property that the possibility of individual responsibility can arise. The Romans had barely reached this stage in the first century of their history as a people; though, as we shall shortly see, the transition becomes apparent in the Twelve Tables. Among the Jews as we perceive them in the Pentateuch, the transition is taking place. Vengeance was still exacted by the family, and in the earlier times it was exacted from all members of the family of the injurer. In Deuteronomy xxiv., a passage now understood to be of comparatively late date, we read that "the fathers shall not be put to death for the children, neither shall the children be put to death for their fathers; every man shall be put to death for his own sin". Yet we see by the fate of Achan (Josh. vii. 24) how this was at variance with the older practice.

In the early Hebrew law (Num. xxxv. 19), the right of a man to exact vengeance by his own weapon is clearly recognised; but the third stage of arbitrating as to compensation has already arisen. If the avenger of blood catches the slayer of a man, even though the death has been accidental, he has the right to kill him. But to lessen the disorders thence arising there are appointed "cities of refuge" to which the man-slayer may flee, "that he die not until he standeth before the congregation in judgment". Then come rules for

distinguishing between manslaughter and murder. If the elders and people of the city of refuge pronounced it a case of murder, the culprit was handed over to the avenger, who thereupon slew him with his own hands. But if the verdict was one of manslaughter, the accused was warned to stay within the city of refuge. If he was ever caught outside of it by any relative of the slain man, the deepest vengeance might be taken without the smallest guilt.

Ewald says (*Geschichte des Volkes Israel*, ii., p. 197) that "the custom of revenging bloodshed, though in fact practised for a considerable period after Moses, was very early condemned by the newer spirit, and therefore was abolished in actual life at no very late date". The practice of commuting vengeance for a money compensation seems to have in large measure died out before the time of Moses. For in his legislation it appeared in force only when a man was gored to death by another's ox, or where a pregnant woman was injured, or when bodily hurt arose out of a quarrel. In such cases a man "may ransom his life" by a payment. Ewald tells us, however, that "in later times compensation for injuries was undoubtedly made mostly in money".

Among our Teutonic ancestors the change from the united responsibility of the family to the sole responsibility of the culprit was of a late date; certainly not before the sixth century of our era. We see the transition in the laws of the Visigoths (book vi., tit. 1, law 8), wherein it seemed necessary to formally state that "all accusations are to fall on the doers of the evil deed. Let not father for son, nor son for father, nor brother for brother fear any accusation, but he alone shall be indicted as culpable, who shall have committed the fault." In many of the Teutonic races, however, a united family responsibility seems to have continued till the twelfth century.

A third thing that is to be always most carefully remembered is that we are here concerned only with the growth of public law, as the outcome of aphestic usage. In the meantime perihestic usage is working out its own beneficent customs; but for a long time they cannot affect the law, for that only arbitrates between family and family. For instance, infanticide is unmentioned in the early law, for if a

man chooses to put his own child to death, who is to be the avenger? Or if a man kills a wife whom he has bought and paid for, who has the right to interfere save only those that live around the family hearth? These things are not matters for law; they are matters for the pressure of private opinion which is ever busy within the family, turning the fireside maxims into moral sentiments. And these, though less palpable, are far more cogent than any law. Among ourselves what law forbids a man to tell an indecent story in a drawing-room? yet without any enactment, civil or religious, private feeling will soon teach a delinquent to behave himself better.

Only by carefully remembering this distinction can we understand the vagaries of the early codes. The laws of the Alemanni, in their 49th clause, provide that a heavy compensation shall be paid for the murder of a man; but in the 40th clause it is stated that "if a man murders either father, brother, uncle, nephew, cousin, mother or sister, he is to do penance as the Church directs". Why so different the treatment in the two cases? Because the former regulation springs from usage between the families while the latter applies to cases that used to be provided for within the family, but as the old associations are passing away under new industrial conditions, the ancient method of suffering the family to deal with family affairs has become impossible, and in the fervour of his new conversion the barbarian hands over to the Church some part of the perihestic domain of true morals.

IV.—Sovereign Power.

When, in course of social integration, a numerous people has become so solidly united as to place an army of some thousands of men in the field, the chief who has continuous command of that army must acquire more or less of regal power. But in the early stages of such authority, kings never attempt to alter the laws. Nothing is further from the thoughts of such a leader than to pose as a law-giver. As Maine tells us (*Early Law*, p. 170), the first judicial influence of the king was only that of using his military

power to enforce decisions made in accordance with custom. In very primitive times he does not even make the decisions himself. Very generally it happens that when a war is over, and the spearmen have returned to their homes, the leader loses all special authority, each village and each clan returning to the management of its own affairs. But in war time the king would be responsible for harmony and order in the army. Brawls and disputes would come before him for arbitration, and his popularity and ascendency would depend on the general satisfaction he gave in applying old customs to the healing of feuds. Cæsar tells us that the Germans selected those of their chiefs to be leaders who were best skilled in settling disputes (*minuere controversias; Bell. Gall.*, vi., 23). But the greatest leader wields no autocratic power. In the field he is controlled by his council of chiefs, and if he sits in judgment to decide disputes, the gray-beards give their versions of the ancient precedents that stand for law.

Nay more. If a chief has under his standard, people of different districts and divergent usages, he is careful to judge each after its own manner. Mommsen tells us that in ancient Rome the kings administered to each of the constituent races its own customs, whether Latin, Sabine, Gabine or Alban. Even great conquerors have always failed to make any permanent impression unless they did as the English do in India, administer not their own notions of justice, but those which are deeply engrained in the prejudices of the subjugated land. As Niebuhr tells us (i., 301): "No one in the ancient world took it into his head to make a new system of laws. In the middle ages, also, a legislation merely sprung from the will of a law-giver is scarcely to be traced anywhere." It is wholly true, as Coulanges tells us (p. 220), that "legislators did not exist among the ancients; nor did laws spring from the votes of the people. In early days the laws present themselves as something even then venerable and unchangeable."

When a William the Conqueror lands in England we are apt to think that he imposes his will upon the people. But a reasonable investigation shows that he made small change in the laws of the country. England was then under at least three, probably five, distinct bodies of custom which had the

force of law in different parts. William left each to be administered in its own way, and whatsoever changes he introduced were not the expression of his own autocratic will, but concessions to the needs and prejudices of his conquering host. When Henry I. came to his father's throne, with what solicitude did he conform his administration to the customs of the various peoples under his sway! Henry II. was able to do much in the way of systematic law, because there was a growing tendency for these customs to approximate, but John utterly failed when he strove by use of mercenary forces to impose his will on a nation. His son was wiser, but the following king, Edward I., securely built the Plantagenet power by legislating loyally according to the usages and feelings of his time. Follow all the reigns of the kings of England, and see how little their personal wishes affected the laws of the land. Those who, like the Tudors, seemed most autocratic, were precisely those who most instinctively realised the public feeling. They knew how far to go, and how to draw back at the least sign of alienation. Gardiner tells us (*Student's Hist. of England*, p. 385), that no king ever felt more keenly the need of popularity than the apparently autocratic Henry VIII.

The old maxim of sycophant jurists that "whatsoever pleases the king has the force of law" was a mere piece of folly, as any king could have found out, who should have issued a law that men were to marry their grandmothers. The area over which the prince's will was operative was never more than a mere fringe upon the great body of law settled by custom. At Rome most of the emperors were wise enough, like Julian, to acknowledge their power to be entirely subject to the law; some made a vain parade of being superior to it, but none ever invented the law. The great jurist emperors, like Justinian, only collected and methodised the huge body of custom that had grown up in the multifarious relations of a civilised people through many generations. Maine has shown us (*Ancient Law*, p. 395) how this vicious fiction that the sovereign is the fount of the law, though so evident a falsehood, originated in the latter days of Rome.

Much more true is the view expressed by Professor Cherry

(*Criminal Law*, p. 6), that law existed before lawyers or tribunals; these, when they grew into existence, simply ascertained what was the prevailing custom for settling the particular class of cases under consideration. And I have already mentioned that these tribunals very generally gave to each locality in early days the full right to its own peculiar customs. The England which Edward the Confessor ruled over was in different parts subject to Dane law, Wessex law, or Mercian law; but besides these three great bodies of custom, every borough and almost every village had its own usages, which it insisted on conserving as the laws of the place. The France of Charlemagne had at least four great codes and an innumerable multitude of minor customary systems. As Montesquieu says (xxviii., 37), "every town, borough, or village had its body of customs, and it was a thing undreamt of even in those days of obedience to the royal will that a single body of law might be made out of all these bodies of local customs". Beaumanoir states in his preface that no two manors could be found in France which were governed in all respects by the same law. It is true that each locality constantly tended of its own accord to adopt whatever was seen to be wisest in the customs of its neighbours, but this was in early times very little the result of legislation. Even the great Charlemagne, as Guizot tells us (lecture xxi.), "did anything but legislate". The learned historian proves that the famous Capitularies were only old customs gathered, revised, and condensed. The small portion of new matter that referred to any district required the consent of that district, and the king's *missi* were directed to get the signatures of its chief men that they agreed to the new provisions.

Out of 258 ordinances of the French kings from 1057 to 1327 A.D., as we see by Guizot's lists, no less than 132 are for the sole purpose of conceding to cities and boroughs their own particular customs, the king securing their allegiance by recognising the binding force of their own laws within their own limits.

All those "concessions of privileges," those "confirmations of customs," indeed all those "granting of charters," which

characterise the later middle ages, are only so many testimonies to the fact that the great body of law is not made by kings, but grows up before them, and independently of their aid. In general a king had no more power over law than our own judges in regard to long-established customs; where two different sets were in conflict he could help to give currency to the better set, and it was always possible to interpret an old custom in a somewhat modern fashion, progress being thus secured without violent changes, but only by that slow creeping onward, that scarcely perceptible reform which never lets go its hold on the past, yet always keeps silently providing for the future.

V.—Codes of Law.

The preface to the Salic law affirms that "custom is a long habit founded upon manners; it is founded on antiquity, and a long custom passes for law". And therein the old redactor spoke most philosophically. Such codes, which are merely statements of custom, live long in oral tradition, but we can know little of their history or nature before the time when they assumed the written form. Indeed, among all nations of the past, one of the most obvious and important uses of writing would be to put on permanent record the customs handed down from antiquity. All that was oral has passed away almost irrecoverably; even codes that were engraven upon brass columns or stone tables are utterly vanished. But those written upon slighter and more perishable materials, being copied and multiplied, have much more often come down to us. The one conspicuous fact about them all is that they do not ever provide a complete system of jurisprudence or a perfect scheme of morality. They are compilations of customs already become venerable with long centuries, and attesting in themselves by their excrescences, their wants, their redundancies, that they have spread from within like other organic growths, and have never been manufactured from without as an article is made by a competent workman.

An Athenian supposed that the originals of his laws were concocted by Solon; a Spartan, that his were the work of

Lycurgus. But we now know that these codes from the very beginning owed their authority to their antiquity. Müller tells us very explicitly (*Doric Race*, i., 152) that "Lycurgus only embodied in laws the political feelings of his race". And the whole argument of the first chapter of his second volume is to show that all Dorians had the same customary law, the name of Lycurgus (whether real or mythical) having been given to the most celebrated redaction of well-known usages. In regard to homicide, for instance, he tells us (ii., cap. ii.) that these seemingly new laws were only the ancient right of retaliation, and that "reconciliation with vengeful kinsmen by payment" was still provided for in the primitive way. According to a manuscript reference I find in Koenigswärter, the early written code of Athens (*Leges Atticæ*, vol. i., p. 510) directed that if a freeman were wilfully killed his family might, if unanimous, agree to abandon the prosecution of the murderer if he had expressed his willingness to pay a sufficient compensation. Even in the laws of Plato we find that while the leading feature is to be vengeance by the kinsmen, yet voluntary exile or an adequate payment is to be a bar to further retaliation. Nevertheless, throughout later Athenian times, we perceive in the written laws, as Maine points out (*Ancient Law*, p. 372), that the conception of a crime slowly creeps in, as of something not merely injurious, but sinful.

Professor Geiger states that the earliest written Zoroastrian code follows the history of previous usage. (*Civilisation of the Eastern Iranians*, vol. ii., p. 31.) "The earliest mode," he says, "of vindicating one's natural right was certainly by self-redress or revenge." This right of retaliation was first restrained by the tribunal of the community, which was formed, we may be sure, in a natural way, probably of the members of the village community forming an assemblage, in which the oldest seniors presided. The incessant wars of these ancient peoples originated in fulfilling the duty of avenging bloodshed. The first check on disorder arose when the murderer was enabled by the united sanction of the community to obtain security by offering compensation. The Vendidad, according to Geiger, reflects all these varying stages. But it is to be noticed that one of the most striking verses

quoted by Geiger is translated in a wholly different sense by Haug.

Equally do the laws of Manu stand clear as a compilation of pre-existent usage. The eighth and ninth chapters are in especial what Maine describes them to be, "a very great number of local bodies of usages, amid which, one set of customs reduced to writing and pretending to a diviner origin than the rest, exercises consequently a greater influence over them, and tending, if not checked, to absorb them". Nor is the case less clear in regard to the Mosaic law. It is absolutely certain that the Israelites of previous times were not without their usages, and we know that these usages were, as in all other nations of their degree of advancement, founded on the family association. The birthright or succession to the authority of house-father is very prominent in their earlier history; and it remains, with some considerable traces of the right of life or death, embodied in the Mosaic code. So, too, the law of homicide is an echo of old custom. The relations of the murdered man were allowed to retaliate, and vengeance of blood was always looked upon as a sacred duty with the nearest relative of the deceased, who is called the avenger of blood. There is no trace of a judicial process of any kind before the deadly retaliation. "The murderer shall surely be put to death. The avenger of blood himself shall slay the murderer; when he meeteth him he shall slay him." (Num. xxxv. 19.) Any one who carefully reads the marriage laws, the laws of succession and the rules for war, must perceive that they are no work of a law-giver, but are the usages grown up among a people on one of the barbarian stages of advancement.

The code says "thou shalt not commit adultery," but the context shows that this is no command that a man should be chaste. It merely forbids him to injure a fellow-Jew by seducing his wife or daughter. Each man can do as he likes in regard to captive women; he may put away his wife when he pleases, and take any new one that his eye may fancy. The code says "thou shalt not steal," but the context shows that this applies only to stealing from a fellow-Jew. Others may be plundered at pleasure; and not only plundered, but

enslaved, themselves and their children. The code says "thou shalt not kill," but the context hugely limits this command; for a man was at liberty to slay any one who accidentally had killed a relative of his; he was at liberty to slay a servant or slave, or a robber caught in the act, or an idolater. An eye for an eye and a tooth for a tooth, that earliest of stages, is still the basis of the code. There is perhaps a greater admixture of moral precept in the Jewish code than in any other of primitive times, but in its main features it is still like the rest, a body of usage that specified classes of injuries to be avoided, and prescribed the revenge or the compensation for these injuries.

Very similar is the condition of the Koran, whose ethical portions merely reflect the usages of Mahomet's time in Arabia. "Oh, true believers," it directs, "the law of retaliation is ordained for the slain; the free shall die for the free, the servant for a servant, and a woman for a woman. But he whom his brother shall forgive may be obliged to make satisfaction according to what is just, and a fine shall be set upon him with humanity." (Koran, chap. ii.) But in chapter xvii. Mahomet shows himself tinged with a little of a newer spirit: "but let the avenger not exceed the bounds of moderation in putting to death the murderer in too cruel a manner, or by revenging his friend's blood on any other than the person who killed him".

Anything like an analysis of these ancient codes would be tedious and here out of place, but it would assuredly display their character as mere compilations of pre-existent custom. I shall select two for more careful consideration, those two which have led to the existing great bodies of jurisprudence, the Roman, leading onward to the modern continental codes, and the Teutonic, which is the direct ancestor of modern English law.

Codification of the Roman law begins with the Twelve Tables in the fifth century B.C. Mommsen tells us (i., 291) that these included "no changes of the existing law except mere regulations of police or adaptation of enactments to suit existing circumstances". Professor Cherry says (p. 59) that these tables are only a summary of the existing law. "Self-

redress is the ruling principle, but table viii. shows that upon this primitive idea the newer idea of compensation had for a long time been grafted." "If one breaks another's limbs, let there be retaliation unless he has made a compact with him." For smaller injuries the compensation was definitely fixed, "If one has assaulted another, let the compensation be twenty-five asses". This same table clearly indicates the growth of a central or collective authority. Those who make disturbances in the street at night are to be put to death, and those who bear false witness to be thrown over the Tarpeian Rock, provisions in which the interests of the city prevail over those of the family. It is curious, however, to note the difference of treatment for crimes committed outside of the family limit and for those committed within it. Homicide within the family was reckoned an offence against the house-father and technically regarded as parricide. It included the killing of any relative as near as a first cousin; the murderer was to be sewn up in a sack and thrown into the Tiber. Strange to say, a similar distinction continued in English law down to 1828. There was one law for murder in general, but another law for murder within the household. For instance, if a wife killed her husband, or a household servant his master, the offence ranked as "petty treason" and had a different scale of punishments. A few centuries ago the man was flayed alive, the woman always burnt. The latter punishment was still occasionally enforced down to the end of the eighteenth century, but was then abolished. The whole distinction between petty treason and murder was swept away in 1828. Sir James Stephen says, "the use of the subdivisions I do not understand". It had, as I conceive, no use, but only a historical reason for its existence. The laws of murder were the direct descendants of the arrangements between families for the maintenance of public order. The laws of petty treason as clearly sprang from the customs in use within the family for the redress of private wrongs.

In the Roman code of the Twelve Tables there is very little that we should call criminal law; such a thing, as Prof. Cherry tells us (p. 62), can scarcely be said to have existed throughout the whole republican period of Roman history.

There is a penal law specifying the compensation to be made for all manner of injuries. As Maine tells us (*Ancient Law*, p. 370), "theft, assault, robbery, trespass, libel, slander are all only wrongs which are requited by a payment". This great authority (p. 374) considers that as Roman society progressed there occurred the gradual development of the idea that a crime was not a mere injury done to an individual, but a wrong done to the whole community, and that a payment of money to relatives could not absolve the guilt of him who had shed innocent blood.

"The notion of a crime," says Cherry (p. 56), "was of exceedingly slow development in Rome," and Maine considers that true criminal law did not appear till the Lex Calpurnia of 149 B.C. Mommsen (iv., cap. x.) thinks that criminal law, properly so called, began with the Leges Corneliæ passed by Sulla in 81 B.C., and this estimate, which agrees with that of Gibbon (cap. xliv.), is by preference accepted by Cherry. Even after a true criminal law had made a commencement, the intrusion of a moral feeling as distinguished from mercenary interests was very gradual.

But the early growth of law is better seen in the codes of our Teutonic and Celtic ancestors than anywhere else. For they were still in barbarian condition when the art of writing was introduced among them from abroad, and they were under close observation by civilised writers whose works are well known to modern times. They show, even more clearly than other codes, that laws are not the origin of morals, but that they form at first a domain utterly indifferent to morals, and concerned only with order; a domain, however, always more and more invaded by a previously existent moral feeling. We have the full text of many of these early codes—Salic, Ripuarian, Burgundian, Visigoth, Lombard, Frisian, Bavarian, Saxon, the early English laws of Ina, of Whitraed, of Ethelbert, of Alfred, and of Athelstan, together with the Scandinavian codes, the Brehon laws of Ireland, and the Welsh laws of Howell.

The basis of all is the acknowledged right of self-redress, and the statement of the compensation with which it was customary for those who wished to avoid a feud to buy off

the expected vengeance. Of the seventy-seven laws of Alfred, according to Stephen's analysis (*Hist. of Crim. Law*, i., 56), no less than thirty-four specify the amount of compensation for bodily injuries. Take, for instance, the foot; for the loss of a great toe twenty shillings are to be paid, for a middle toe nine, for a fourth toe six, and for a little toe five shillings.

If he who inflicted the injury was too poor to pay, then the aggrieved party proceeded to take compensation out of his body. He might cut off one hand or both, one foot or both; he might put out one eye or both of them; he might cut off the nose or a lip, and according to one regulation, the aggrieved person was entitled to scalp the man who had injured him, but who had no money or cattle with which to compensate.

In the laws of the Alemanni (Lindenbrog's collection) the 59th statute carefully classifies wounds and states their compensation; for a blow that brings no blood, one shilling; for a blow which causes blood to drip on the ground, one and a half shillings; for a broken bone, three shillings; for a broken skull, six shillings; if the brains are seen, twelve shillings; if the brains protrude, forty shillings. In the Frisian laws these compensations are even more minutely detailed (cap. xxii., *et additio sapientium*), no less than 165 different wergilds being prescribed for wounds of different sorts according to rank, age, and sex. The Lombard laws have ninety-two of these customary compensations.

The Salic code is very business-like in its mercenary view of law. The very first clause states the compensation to be paid for stealing a pig, and the following clauses deal in similar fashion with the robbery of sheep, goats, dogs, birds, bees, and so on. The 22nd clause condemns him who had squeezed the hand of a free woman to pay a fine of 600 pence, not to herself, of course, but to her male relatives; if her arm, 1200 pence; if her waist, 1800 pence, and so on. But he who kills a boy under twelve years old merely pays a compensation of 600 pence, while if it is a girl under twelve that is murdered, the compensation is only 200 pence.

Guizot shows that these codes are like all old codes, essentially penal, the Salic having 343 penal articles to only sixty-five on all other subjects put together, and of these 150

refer to robbery, and 113 to violence against the person, thirty relating to mutilations and twenty-four to violation of women. For all these and every offence the injured party had the right to personal vengeance if he chose to take it; but if he feared to fight or listened to the wishes of his friends not to precipitate a feud, the code informed him what was the compensation which custom had allotted to the case.

None of these codes is in any way the work of a legislator. On the contrary, they base their claim for reverence on their great antiquity. As Guizot says (*Civilisation*, i., 456), they consist of "customs collected and transmitted from generation to generation, modified, extended, explained, and reduced to law at various times down to the end of the eighth century". The learned M. Wiarda tells us they are "mere enumerations of customs and judicial decisions". As a rule they make no pretensions whatsoever to moral feeling. In the code of the Saxons it is provided that the death of a noble at the hands of a plebeian should be avenged by the death, not of the culprit alone, but of seven also of his male relatives. So in England, by the treaty between Guthrum and Edward in which was settled the code under which Dane and Saxon might live amicably together, it was stipulated that the death of a noble could be atoned for only by the slaughter of six ceorls. Up to a late period the laws of the Anglo-Saxons directed that the culprit who failed to pay the customary compensation should be handed over to the injured person to be by him slain or mutilated or beaten. At first, in such a case, the amount of vengeance to be exacted was entirely at the discretion of the injured person, but in proportion as society became more organised, it was held that the amount of vengeance ought to be determined by "the counsel of those whose duty it is to advise thereupon," that is of the assembly of the freemen of the district.

Without further elaboration or the superposition of the multitudinous details so easily available, I shall assume that the main contention of this chapter is now solidly established. For it must be clear that the original scope and intention of codes of laws were not in any way moral. While morality, though it had no voice in laws, was slowly growing round the

hearth, retaliation was the sole check upon conduct away from the family, and law originally was merely the body of customs that regulated by precedent the kind of retaliation or amount of substituted compensation to be exacted for a given injury.

CHAPTER XXI.

THE PREVALENCE OF LAW.

Up to the earlier stages of barbarian society, though laws in the shape of binding usages most certainly exist, there is little attempt at any systematic enforcement of them; yet they are in a manner enforced as international laws now are, not by any authoritative tribunal, but by the natural reluctance which an armed man has in drawing the sword before one who is presumably his match. In the olden times, if a family or kindred felt that to pay the compensation which usage allowed was a less evil than a deadly feud, it would pay and escape the trouble. But, as in a street fight, though there is dormant among the crowd an easily awakened sentiment that the two pugilists are entitled to settle their grievances with their fists, yet there is generally a preponderating element of those who dislike the prospect of bleeding faces and blackened eyes. As a rule, therefore, the crowd will interfere to separate the combatants; will listen to their various complaints, and with their homely arguments induce them to make up their differences.

So if two families of old were arming themselves for the fray, either because one of them refused to pay a compensation, or because the other refused to accept it, the spearmen of the community would be apt to take some interest in the quarrel, and that not merely a sentimental interest; for no one knows, when a feud begins, where it may end. As it protracts its restless course it involves more and more in implacable hostilities. Hence arose the court of the Hundred, the most ancient tribunal of the Teutonic races. It is said by Maine (*Early Law*, p. 169) to have been no legal body in our sense of the term, but only a means of affording advice.

Every freeman of the district gathered to it if he felt so disposed. "Their great function," says Maine, "was to give hot blood the time to cool, and so to prevent men from redressing their own wrongs." For in such an assembly, when the elders had recited the rhymes wherein were expressed the usages of old, or when the venerable tables or parchments had been produced that recounted the sacred customs of the race, the individual or family that scouted these would have to reckon on a general disapprobation, a kind of enforcement which we still see on a grand scale in international disputes.

But it must not be for a moment supposed that the belligerent families were thus in any way bound to settle their dispute. There are still abundance of people who think that a nation is tame and spiritless which submits its quarrel to arbitration; but much greater in the past was the pride of strength and courage and skill in arms; and many a family of old brought its grievance before the court of the Hundred, not to obtain redress, but merely to justify its resolution of fighting, hoping perhaps to win the general sympathy in its quarrel. The fundamental feeling in the court of the Hundred was that if mediation could avail it was well; if not let the disputants strip for the fight.

This is the true meaning of the ordeal by judicial combat, so long obscured by ignorant philosophising. Gibbon rightly says: "It was not as a mode of proof that the combat was received, but in every case the right to offer battle was founded on the right to pursue by arms the redress of an injury," and he gives details from the Assize of Jerusalem to show that even in the twelfth century it was still regarded in that primitive light. Montesquieu expresses accurately the truth when he says that the judicial combat was only a mode of reducing to orderly fashion the old right of personal redress. (*Esprit des Lois*, xxviii., 17.) "Families used to make war for murder, thefts, and injuries. This custom was modified by putting the combat into order, under rules and beneath the eye of authority, a thing much preferable to the general licence of mutual injury."

Guizot is equally decided in his view (*Civilisation*, iii., 182): "The more one examines the documents, the more

clearly will he see that judicial combat and private war, that is to say, the appeal to force, the right of each to do justice to himself, was the true system of guarantee of the feudal society, and that the judicial guarantees by peaceful procedure occupied but little space in the feudal system".

In all this there is no pretence of morality, and it must be remembered that though in its details it refers only to the Europe of the middle ages, in its essential features it represents the early phase of law in all societies. The main difference to be noted is that the more vigorous and self-assertive a race, the more arduous is the slow encroachment of law upon the old domain of martial procedure. How deeply rooted was their idea that a brave man should ask no other redress than that which his own right hand could win, is seen in the old usages of France. It was universally understood, even in the thirteenth century, that if a man claimed a debt which the debtor refused to pay, there was nothing left but to fight for it. This at least is the position laboriously proved by Montesquieu, and he says it was quite a relief when Louis le Jeune in the middle of the twelfth century directed the magistrates not to arrange for any judicial combat between debtor and creditor when the sum in dispute was less than five shillings. We have evidence which, though bare, is enough to satisfy us that the Romans had passed through the same stage before the time of their Twelve Tables; that the Greeks were passing through it in the epoch called heroic, and that the Hebrews had seen it wane before the days of Moses. On the other hand, it lingers on to the present day in the right of nations to redress their wrongs, not by appeals to equity, but by war; between private individuals the right of combat lingered on in the form of duelling until last century, though in general divested of its judicial character; but Monteil tells us (iii., 208), that by the regular army codes of the sixteenth century, soldiers still had the right to fight out their quarrels with the consent and often in the presence of the commander. It is one of the blessings gained for society in the last few centuries that if a man owes me money, or falsely accuses me of libelling or otherwise injuring him, I am not bound to go out and fight

him, whether he be stronger than I am or more expert in arms. Yet after all we have no great reason to boast while it is still quite clear that a small nation has so little hope of redress from a great one, except through the fear of a general war.

Another system of the middle ages to which men of a late date wrongly assigned a judicial character was that of compurgation, according to which an accuser brought forward his friends to make oath on his behalf, while the accused opposed to these the oaths of his supporters. The system was never meant to prove the truth of an accusation or the innocence of a person accused. Those who took oath merely showed how many kinsmen were prepared to stand by the one disputant and fight for him, and how many to stand by the other. For, in the beginning, all those who took oath appeared with arms in their hands, and to the very last the oaths of serfs, of women and of children, were of no avail. Now the testimony of these would have been of as much value as that of an armed man, if the real object of the procedure had been to discover the truth. Many crimes must have been witnessed only by women, or serfs, or children; but their testimony as to specific deeds they had seen committed was never allowed. On the contrary, 100 armed men would be brought to swear, not to any particular fact, but only to a general belief in the innocence of the accused. (Pike, i., 55; Stephen, i., 75.) When the chastity of a widowed queen of France was challenged, and on it depended the right of her infant to succeed to the throne, she brought, not domestic witnesses to prove the blamelessness of her life, but 300 nobles with swords by their sides to swear to their belief in her purity, in other words, to fight for her if need arose. (Gibbon, chap. xxxviii.)

Compurgators were certainly not witnesses. They were supporters; and the system was not intended to procure justice, but to suppress feuds. When the armed men of one side were in the popular assembly ranged over against those of the other side, it might be found that 100 men supported the accuser, and only thirty the accused; there was then no need to fight. It would be a convenience for the weaker side

to know their weakness ere they committed an act of hostility. When Orgetorix the Helvetian was summoned to trial, he brought with him "his family to the number of 10,000 men, and all his dependants and debtors". (*Gallic War*, i., 4.) These were not supposed to be witnesses, for in those days a man despised anything so mean as submission when he had armed support behind him. He who had his own sword and those of his friends to be his witnesses, laughed to scorn the man who only talked. The single point to be settled in the system of compurgation was, which man's friends were really going to back him up most effectually. Far better that one wrong should go unpunished than that a deadly feud should lead to a long train of wrongs and horrors.

Suppose that while walking along a lonely country road I saw in the dust a sovereign which I picked up, and that a villainous-looking fellow behind me stepping up, demanded the coin as one he had lost. I might begin to put a question or two by way of obtaining evidence of ownership, but if he whistled, and at the signal, three more villainous-looking fellows each with a bludgeon in his hand came through the hedge and took their solemn oath that the money was his, I might feel absolutely convinced that the whole four were lying, yet, if I were wise, I would gracefully concede that the case was clear and hand over the gold. Now these three men with bludgeons would be compurgators in the old style. They would not condescend to state any facts which might satisfy a reasonable mind. In the grim look of their faces, and the ready grasp of their sticks, I must perceive the strength of their case.

Yet, although this was the real nature of compurgation, it may be supposed to have secured on the average a very rough sort of justice. A notorious scoundrel, or one who committed a very base act, would in the majority of cases find few friends to support him. Of course, a valiant and jolly-tempered ruffian might be very popular, and have a large following. In that case the ancient folk-moot would follow Dogberry's advice to "take no note of him, but let him go and thank God they were rid of a knave". But in general it

must have been to a certain extent a guarantee of a man's conduct if his friends were willing to stand by him. For we must remember that while public law is still thus void of all moral feeling, strong customs were within the family gaining an ascendency, which made men somewhat inclined to turn with aversion from much that was base or cruel.

In the course of time the system of compurgation ceased to be a case of ranging the men of one side over against the men of the other. It was sufficient if the accused could bring to support him a number of spearmen proportioned to the gravity of the accusation. Thus in the code of the Ripuarians we read that for wounding a freeman, one must pay a certain fine, "or, if he denies it, let him swear with six". "If a freeman slays a freeman by accident, let him pay 200 shillings, or, if he denies, let him swear with twelve. If he wilfully kills a woman, let him pay 600 shillings or swear with seventy-two. If he slays a young girl, let him pay 200 shillings or swear with twelve." So also, the laws of the Frisians provide for "swearing with eleven," "swearing with seven," and so on. If a freeman kills a noble let him "swear with seventeen," but "if a noble kills a churl let him swear with three". However, "if a churl kills a noble let him swear with thirty-five". It was, of course, understood that if the accused failed to bring the due number of compurgators, or to pay the compensation, no one must interfere while the aggrieved person took personal vengeance.

In England there was seen a steady tendency to uniformity in the number of the compurgators required; and, in the twelfth century, the system demanded merely that the accused should bring twelve men to make oath on holy relics. As men's moral instincts grew, they became less and less capable of the cynical audacity of swearing to a man's innocence without having some sort of belief in it themselves. If the twelve, before making oath, instituted some little inquiry, and then were free to swear to his innocence, he was by the old usages thereby exonerated. But if their inquiry was unsatisfactory, they shrank from the relics, and the solemn oath, with perdition as penalty for perjury. The accused was then bound to be condemned, seeing that his own

twelve men refused to be his compurgators. By degrees, therefore, the whole procedure assumed more and more of a judicial aspect and drifted into our jury system.

The judicial combat, therefore, and the system of compurgation had no pretence of morality, no thought of supporting right against might, of asserting abstract justice. They were merely the means of preventing the spread of feuds. But it was otherwise with trial by ordeal, the whole object of which was to seek Divine attestation of guilt or innocence. Among the Jews, if a wife were accused of inconstancy, she was brought to the priest, who mixed some of the dust on the floor of the tabernacle with holy water in an earthen vessel, and, after making her take an oath, gave her this mixture to drink. According to the superstition of the times, if the woman were guilty "her belly would swell and her thighs would rot" (Num. v. 27), thus miraculously attesting her unfaithfulness. In the early mediæval times, similar systems of judicial superstition were followed, though for centuries the Church fought against them; eventually, however, she had to give a qualified acquiescence till Innocent III denounced them; his successors forbade them all clerical countenance.

But though, therefore, not religious, the trial by ordeal was superstitious enough; whether by boiling water, by immersion in cold water, by red-hot iron, by fire, by lots, by the bleeding wound, by divinations, by the Cross, by the balance, by the Eucharist, or by poison, the meaning of the ordeal was that supernatural power would reveal the truth, whereupon the majority, or what in later days was its equivalent—the central power—would enforce the claims of justice. Herein, though the means be burlesque, the intention is clearly moral.

VI., VII., VIII. AND IX.—THE KING'S PEACE.

Still following in especial the progress of European peoples as being richly illustrative of general principles, and in itself peculiarly interesting to us, we must observe that at a certain stage of development, what a chemist would call an allotropic or perhaps an isomeric change took place in the constitution

of society. The individual atoms were no longer grouped in the family as the molecular basis, but in the *comitatus*, the district, the guild, the borough. Ties of kindred were loosened, and ties of contiguity and allegiance took their place. Between the sixth and the tenth century, society had been subjected to the strain of enormous internal forces. The old household, leading the placid life of farmers and hunters in its own woodland clearings, had been shivered and shattered as the waves of conquest advanced and retreated. Dreams of victory carried forth the younger sons from the family hearth to join some famous chief. They settled in far-off lands, forgetting the claims of kindred, and forming new associations. At other times, as the adventurous records of these days amply testify, it was when the household was feeling the strain of evil, when want was pressing hard on the heels of incessant fighting, that the younger men grew discontented and wandered away. But it was still, as it had always been, dangerous or even fatal for a man to live unattached, relying only on his own arm for protection. He generally went forth attracted by the fame of some chief whose *gesidh* he became, swelling the *comitatus* or band of companions to whom the chief owed his power. This was a process which infallibly destroyed the old family system, for when a *comitatus* of several hundred spearmen was formed in a district, all its members devoted to arms as a profession, the old family union, numbering sixty to 100 men, farmers or shepherds by trade, soldiers only by necessity, was unable to maintain its rights. A new order of nobility arose, in which the pride of birth counted for comparatively little. A base-born man whose personal skill and ascendency gathered round him some hundreds of devoted followers by whose assistance he could impose on some thousands of others a condition of subserviency, and compel their assistance when required, became the count, the duke, or even the prince of the new order of society.

Instead, therefore, of a tie of common ancestry, there was the oath of allegiance; in place of the house-father there was the liege lord. In such a land as France, for instance, many hundreds of barons formed each the nucleus of his own molecule, consisting of men sworn to spend their last drop of blood,

when need arose, in his service; while he was equally bound by oath to sustain them and protect them against all enemies and in every quarrel. Under the shadow of this formidable power crept the industrious freeman, if such there happened to be, glad to work and obey, in order to feel his throat safe, his wife his own, and some small share of the fruit of his toil actually his to enjoy. Very willingly in these early days did such a man gird on sword and buckler to support the power which, though grim and oppressive, was yet his only protection against the indiscriminate ravage of the enemy. A law of King Athelstan in England (A.D. 930) directs that any man who has no lord may be killed as a thief (i., 2).

Among many important results of this change in the constitution of society, there was the decline of the wergild and the rise of the fredum. The wergild was a compensation to the injured family; the fredum was chiefly a penalty for disturbing the harmony of the baron's neighbourhood. When a leader such as Vercingetorix or Ariovistus gathered round him a large force, there would rest on him the serious responsibility of preserving order in the camp. An army full of jealousies and brawls would be liable to some huge disaster, and a competent commander would be one capable, among other things, of suppressing these with firmness. Death or mutilation struck terror into meaner men, but the principle of paying to save life or skin was deeply established, and the general as a rule exacted, from those who could pay, the fredum or fine for breach of the peace.

The baron, the prince, the king thus claimed the right of preserving order; he maintained what he called his "peace," and as he slowly changed from a mere leader in war, to a territorial magnate, he insisted on preserving his "peace," wherever he happened to be. He sternly forbade all brawling round his home. Under the Anglo-Saxon heptarchy we know that the kings caused their "peace" to extend three miles from the palace. In the Brehon laws of Ireland "the precinct of a chief was the distance over which he could inflict fines for acts provocative of retaliation". In the Welsh laws of Howell, the "sanctuary" of the prince, to whatsoever distance it was by proclamation extended, was supposed to secure therein an

inviolable peace. In the old Teutonic laws, the punishment awarded for any act of violence done within the limits of the prince's court was from three to ten times as great as that ordinarily to be paid. (See, for instance, *Laws of Alemanni*, 29, Lindenbrog's collection.) In the Frisian laws we read (tit. 17) that if any one in the army raises strife he must pay ninefold wergild for any injury he causes, and ninefold fredum to his lord for the disturbance occasioned.

In the early middle ages, economic changes occurred to give a superior importance to the fredum, which had in the first place been of relatively small consequence. For the wergild was a very old and very definitely known payment. Hence it had a decided tendency to remain fixed even though by the slowly increasing abundance of gold and silver the value of money was declining. There was, therefore, a natural diminution in the efficiency of the wergild as a deterrent. The fredum served to weight it up ; but while the wergild was an ancient and established sum the fredum was a newer and more variable penalty. The latter, therefore, always gathered a relatively greater importance. During the ninth and tenth centuries the fredum in Sweden, Norway, Denmark and England was in general equal to the wergild. In France and Germany the newer compensation had already outgrown the older in its severity. We have little information whereby to trace the process, but we know that while the wergild remained fixed the fredum eventually altogether overshadowed it.

With the rise of the fredum there came clear indication of a dawning sense of morality in the public laws, a perception of the difference between a crime and an injury. In the earlier times, whether the damage done by a man had been purposed or accidental, he had to pay the wergild, the compensation which would free him from retaliation. But now it was in general understood that for a purely accidental injury no fredum but only the wergild should be payable. The fredum could be exacted only when the injury was wilful, and therefore indicated a wanton disturbance of the lord's peace. Thus in the laws of Alfred (Stephen, *Hist. of Crim. Law*, ii., 55) it is provided that " if a man have a spear over his shoulder and another man stake himself upon it, the bearer of the spear

shall pay the wergild, but not the fredum". This distinction was very general, and as it grew, the idea of a wrong, not merely as an injury to another man, but as, moreover, an offence against the lord, was steadily developed.

But as with the wergild, so with the fredum, it never was compulsory for the lord to accept it if he preferred to exact vengeance. Moreover, it is to be remembered that in every code of laws it is provided that he who cannot furnish compensation must pay with skin or limb or life. The local magnate, therefore, set up his gallows for hanging the men, and dug his pit wherein to drown the women. *Domesday Book* shows how numerous were the barons and lords of the manor who during the eleventh century in England possessed this right of summary judicature. Every bishop had his private gallows, and a chance record shows us that in Berkshire alone there were, so late as 1275 A.D., no fewer than thirty-five lords who each had the right of hanging or drowning all who offended him in his neighbourhood.

But though these to some extent presented the characters of petty despots, we shall certainly err if we think them unrestricted in their power. They were limited by the general devotion to old customs; though their retaliation might be cruel, yet, if sanctioned by usage, it would pass without reprobation; but the baron who set up his will in opposition to the good old customs would soon find himself surrounded by a dull or perhaps an active opposition. Even a baron of notable power, even conquering kings themselves were powerless to act in open contravention of usage. We have seen how little Charlemagne could alter the laws of his empire; and when William the Conqueror found himself in what seemed a singularly strong position in England, he caused his "peace" to be proclaimed over all the land, hoping to make his jurisdiction, that is, his exclusive right of retaliation, everywhere acknowledged. We know how unsuccessful he was, how every castle had its dungeon for those who offended the lord thereof; how the royal control was always dependent on the goodwill and support of the barons; how John sought by the aid of mercenaries to free himself from restriction, and failed; how Norman and Angevin kings were

glad to leave to each borough and district its own customs. But as the barons checked the king, so in each district the knights checked the baron, who was bound to cultivate their goodwill in his own rough fashion.

According to Stubbs, the great legal feature of the middle ages was the endeavour of the royal power to extend the "king's peace" over all the country, and make it paramount. But for centuries the barons retained the right of private war, and, indeed, of making war on the king himself. (Hallam, *Mid. Ages*, chap. ii.) So long as this power lasted, it implied that barons possessed the right of redressing the wrongs they suffered, and that law as an exercise of royal power was not yet existent. It was not till the middle of the thirteenth century that private war ceased to be a recognised right of every baron, just as it was the right of every knight in a baron's service to challenge and fight any man who had wronged him. Barons or knights might, if they chose, appeal to the courts, and often, in fact, did seek that means of avoiding bloodshed; but it was always at their own option. In France, Germany, and England the royal power made strong efforts to suppress the right of private war. Philip the Fair denounced it, and from his time it slowly declined in France, while in Germany the same process went on till, at the Diet of Worms in 1495, a formal edict forbade throughout the empire the prosecution of war by inferior barons. In England, at the close of the reign of Henry III., but really under the initiative of his son, the statute of Marlborough (1267 A.D.) announced the determination of the royal power to repress all private warfare, and declared that fines would be imposed on those who sought with their own hands to redress their wrongs instead of submitting them to the king's courts. But Stephen tells us (*Hist. of Crim. Law*, ii., 64) that the right of personal redress, technically called "Infangthief," is shown by a return of that reign to have been very common. Edward I. did much to kill out the old disorderly customs, firstly, by his tact in strengthening the central power, and secondly, by his appointment of "conservators of the peace," influential men of each district, to whom was delegated the royal authority. Each of these was directed to use his own men and all the well

affected of the district for the purpose of apprehending in the king's name any one who broke the peace. The prisoners were to be detained in the house of the conservator when it was strong enough for the purpose. Otherwise wooden cages were to be made to hold them in custody. Under Edward III., these local magnates were designated "justices of the peace," and began to arrest marauders and try them in courts of quarter sessions. Every borough had one such court, but the king's power was quite inadequate to the suppression altogether of the old arrangements, and great lords still retained their gallows, their pits, their dungeons, holding for the trial of delinquents what were called "courts of franchise". Up to a late date, as Stephen tells us, the lord of the manor still exercised the right of hanging any one he caught on his manor with stolen goods in his hands. In an Act of 1403, we find that Henry IV. forbids the justices any longer to imprison delinquents in their own instead of in the royal castles, "saving always to lords and others their franchises in this case," a clear acknowledgment that almost up to the commencement of the modern epoch, justice was not clearly recognised as the business of the State, the right of private retaliation in accordance with local usage being still enforced by all strong enough to claim it. Yet the changes produced in three centuries are very apparent, if we compare with this the laws of Henry I., wherein the slaughter of a private enemy was perfectly legal, so long as the slayer took none of the dead man's property, and went at once to give information of the deed at the nearest dwelling.

During these centuries the lawless and disorderly killed each other off, leaving more room for the peaceable to expand, and these instinctively perceived that their interests lay in supporting the growing power of the central authority, which would always be inclined to suppress internal disorder and consolidate the military energies of the people for foreign warfare. Thus the control of the king's peace gradually spread; at first applicable only to the immediate household and retainers of the king, it extended itself with every generation, slowly supplanting in each district the local usage by a body of law consisting of such customs as had spread by

their inherent excellence from being local to being general. In the course of this change the wergild became merely damages in a civil suit; while, in criminal cases, if the Crown forbore to exact the vengeance of death or mutilation, the fredum became merely the ordinary fine such as we now see it.

It is to this origin that we must attribute the imperfectly moral character of the law. In a legal trial the old-fashioned phrases still suggest that an offender is not prosecuted because his deed was wrong, but because it tended to provoke a breach of the peace. (Cherry, p. 94.) Until a very recent date the law had no inquiry to make as to the wickedness of a man's life; he might seduce a score of maidens, he might spend every night in the week with prostitutes, he might gamble, he might lie, he might treat his parents with ingratitude or his children with tyranny; all these things were outside of the domain of law unless by some chance they tended to break the king's peace. How far, then, from the truth is any theory that law is the basis of morals.

X.—The Court of Justice.

By a natural process, already described, a progressive community tends to become larger and better knit together, so that the king who contrives to extend his "peace" over the whole of it is in a very different position from the ancient Hebrew sovereign or the Anglo-Saxon monarch, who sat at the gate of his palace and administered justice. For these had to adjudicate only for their own immediate dependants; though their suzerainty extended over many petty chiefs, yet each of these administered the law of his own district. An appeal might always perhaps be made to the superior power of the king, but it would be more or less futile in proportion to the strength of the local chief.

Stephen tells us (i., 75) that before the Norman Conquest the ordinary court in England was the folk-moot, the meeting of the freemen of the district, known as the Court of the Hundred; but that even at that time the king had contrived

to give a general supervision or concurrent jurisdiction to the king's courts. After the Conquest the centralisation of power continued, and Henry II. appointed itinerant judges whose decisions, backed, wherever opportunity occurred, by the royal power, began to have a superior weight, so that by the time of Edward I. the old rough and ready trial in the folk-moot was giving way to trial before the professional judges, and in the reign of Edward IV., during the fifteenth century, the old courts wholly disappeared.

A somewhat amusing light is thrown on the transition by the English custom entitled *peine forte et dure*. Men being naturally slaves of custom, many preferred to bring their disputes before their neighbours in the Court of the Hundred, or before their own lord in the court of his franchise. The king's authority was incapable of over-riding a cherished usage, and if the accused demanded to be tried in the good old way, the general feeling of the district would have regarded it as tyranny to have denied him his rights. Hence at first the jurisdiction of the king's courts was merely concurrent: they could not supplant older means of arbitration; they were there to mediate between complainer and culprit only when these asked for mediation.

By degrees it became more and more common for those who truly wished for justice to appear before the trained judges rather than in the rougher local tribunals; but that would hardly be the case with a man fully conscious of his own guilt, and therefore inclined to prefer the chances of combat, ordeal, or compurgation, before the more ancient courts, rather than the searching inquiry of the judges. Even when the old courts had practically died out, the form was still sacredly adhered to, of asking if the man before the court was willing to submit himself to the king's law. If for private, and in general no doubt good reasons of his own, he proved obdurate, it became customary for the judges to have him shut up until he was willing to acknowledge the jurisdiction of the new courts. In order to quicken his decision it became customary in Plantagenet times to reduce his diet, and after he had starved on a piece of bread one day and a jug of water the next, this alternation going on for

some weeks, he was generally glad to say the word that was held legally to put him under the control of the king's court. By the time of Henry IV. this came to be felt a slow process, and a judge might often be detained for weeks from going on his circuit while a stubborn prisoner was being broken in by starvation. To expedite the business it became customary to put the prisoner in a trough or on a floor, and load him up with stones or iron weights, till, under the crushing strain, he uttered the words of consent, whereupon, according to the ideas of the time, his trial could lawfully commence before a royal court. It is singularly illustrative of the huge power of usage that this, though grown unintelligible, remained the English law till about 1771 A.D., and Pike gives in his *History of Crime* (ii., 283) the last serious case on record (1726), when a man was squeezed under a weight of 4 cwt. till he consented to plead before the court. So very slowly did the royal authority overcome the last vestiges of the old system of local jurisdiction.

Yet with all this punctiliousness in matters of obsolete importance, the law was of a dreary slowness in establishing the essential features of justice. Indeed, justice is but little thought of even in late times in comparison with the maintenance of order. In Rome, for instance, even in its best days, an accused person had never a legal right to call witnesses. They might come of their own accord, but they could not otherwise be summoned. The prosecution could compel all its witnesses to attend; but though the accused might know of a person whose testimony would exonerate him, if that person were too lazy, or too busy, or too malevolent, or too much intimidated to come, the prisoner had no choice but to suffer, though guiltless, the penalties of the law. So, too, in England, the right of a prisoner to call witnesses on equal terms with the Crown was not established till the time of Queen Anne. (Stephen, *Crim. Law.*, i., 46.)

Moreover, in the middle ages, the king paid no salary to the judges, who in the earlier days may perhaps have accepted the power and responsibility as an honour. At a later date, however, when a professional class, they accepted fees from litigants for their services; but there is ample evidence to

show that their incomes were largely derived from the fines inflicted on those they condemned, and the records of Plantagenet times (see Pike's *Hist. of Crime*) are full of complaints of the extortion of these judges. In France, too, as Michelet tells us, the judges were paid by getting a share of all the confiscated property of those whom they condemned. Such a system would seem to us a poor arrangement for encouraging the administration of reasonable justice, but that was emphatically not the aim of judges and courts in those days; the purpose was to exact the king's vengeance upon those who broke his peace. "The origin of our present criminal procedure," says Prof. Cherry (p. 94), "was to avenge the violation of the king's peace as an insult to him personally." So also Sir Henry Maine tells us: "The earliest service of courts of justice was to furnish an alternative to savagery, not to suppress it wholly".

A disinterested zeal on behalf of abstract justice was nowhere discernible. It was not till the year 1494 that a poor person in England could ask for justice in a royal court. Before that time, if a widow came before a judge to complain of the murder of her husband she had to pay the fees of the judge. But the commencement of the modern period was marked by an Act providing that those who had no means of paying for justice could thenceforth sue *in forma pauperis*.

XI.—Infiltration of Equity into Law.

But whilst in the folk-moot and its substitute, the king's court, there is a slow growth of legal ideas arising out of the restriction of retaliation, there is moving forward always the perihestic growth of real morality. Cruel husbands, heartless wives, selfish fathers, callous mothers, quarrelsome brothers and disloyal kinsmen are imperceptibly, yet none the less, relentlessly being eliminated. Thus, round the hearth, each century sees the growth of warmer affections and deeper sympathies; honesty and courtesy, chastity and mutual assistance spring out of inward sentiment, not from outward dreads.

But while the spheres of law and of morality were thus independent in their origin it inevitably happened that the ideas of each invaded the realm of the other; the perihestic feeling being always the first to overflow in this fashion. Courtesy learnt within the family spreads outward. Honesty of dealing becomes a habit, and controls not only actions within the household where it was learnt, but also intercourse with other families round about. The man who has learnt to repress impure desire towards the maidens of his own circle, will thereby encourage an increased respect for women of his own race.

Yet, however slow the spread of these feelings from the family as the centre of their growth, they come eventually to tinge the general ideas of a race; and law, which originally had no word to say about infanticide, as beyond the region of things for which one man must seek retaliation against another, eventually takes cognisance of it.

As illustrative of the manner in which the perihestic streams of moral feeling have invaded the aphestic realms of law, I shall very briefly sketch the process in which the two great systems of jurisprudence known to the world have been affected by the intrusion of principles of equity. The great system of Roman law, from which the modern codes of continental Europe are largely derived, had its two concurrent bodies of custom, its civil law which was of aphestic origin, and its natural law which was of perihestic growth. So also the English law had its department of common law and its department of equity, the latter having been an infiltration of perihestic morality into the earlier retaliatory system.

In Rome the laws of the Twelve Tables expressed the old schemes of retaliation and compensation, and in the quarrels between family and family, or individual with individual, the decisions of comitia or senate formed a body of precedents known as a whole under the name of civil law. In later times when the power of these assemblies had decayed, new bodies of civil law to meet the altering times did not spring from imperial enactments. Romans were as tenacious as ourselves of usage; and people did not turn to the emperor to ask what was to be the new departure of law, but always

inquired of the legal sages what had been the customs of old time. The *responsa prudentium*, or "counsels of those learned in the law," continued up to the very end of the empire to have all the force of laws themselves; they were exactly analogous to our own case law, whereby the decisions of judges founded on bygone precedents, altered a little to suit altering circumstances, make new precedents for the future. Thus the *responsa prudentium* were the direct descendants of the old retaliatory law. Even when the power of the emperors seemed most autocratic, the law was never materially altered by the imperial will. On the contrary, a decree of Augustus, re-enacted a century later by Hadrian, conferred on the opinions of the learned doctors when in harmony with one another the force of laws. (Poste's *Comments on Gaius*, p. 38; *cf.* Ramsay's *Rom. Ant.*, p. 245.) Personal feelings or vices of emperors left little trace in the laws, which were thus handed on from generation to generation in a stream unbroken, though gathering volume as it went. "Under the weakest and most vicious reign," says Gibbon (cap. xliv.), "the seat of justice was filled by the wisdom and integrity of Papinian and Ulpian, and the purest materials of code and pandect are inscribed with the names of Caracalla and his ministers."

This body of civil law, therefore, was no system of enactments, but the definite statement of usage grown vast and complicated with the progress of society. It was the expansion of the old body of inter-family usage. But when foreign merchants began to visit Rome and to settle therein, a new body of custom gradually arose. The old law had been wholly civil, that is, applicable only to citizens, to free-born members of families in the original community. All foreigners were at first regarded as enemies, but when, with mitigation of manners, there arose a sense of benefit in mutual trading, when the settlement of merchants within their borders was seen to be a prime advantage, these were received on a more friendly footing. And yet they were entirely outside of the protection of the existing law. (Maine, *Ancient Law*, p. 48.) A kinless man existed only on sufferance among the strong family associations of the place. And yet there is nothing more essential to the merchant than security for life and pos-

session. Enterprise is paralysed by uncertainty as to the view which will be taken in the land which a merchant visits in regard to the confiscation or plunder of his property, the amount of toll or taxes that will be levied, the access to be allowed his ship to secure harbours and suitable wharves. It is thus easy to understand how, at Rome, there arose the custom that the city prætor, who controlled all civil, and especially all mercantile suits, should, at the beginning of his year of office, write upon a certain white wall for the guidance of foreigners the forms to which he would adhere, and the principles as well as many of the details of his intended administration of commercial justice. (Ramsay, *Roman Antiquities*, p. 243.) But the prætor never made any startling innovations; he took the edict of his predecessor with such small omissions or additions as the trend of mercantile usages suggested. A copy of the prætor's edict for the year thus became an authoritative statement of the law applicable to foreigners. Eventually it became of scarcely consistent details, till the whole was digested and consolidated into the well-known Salvian edict.

Though the edicts had all the appearance of legislation, we know that, as Ramsay expresses it, "these magistrates could in no sense be regarded as lawgivers". The Institutes of Justinian expressly state that the laws thus promulgated grew up out of customs; and Poste, in his *Comments on Gaius* (p. 39), states that the edicts were formed out of slowly growing bodies of usage that were absorbed into the annual proclamation. Yet they possessed a character that marked them off from all other Roman law; no national or family prejudices, no mere precedents of retaliation, made the features of the system. That *æquitas*, or evenness, or fairness, which brothers had learnt in the family, and whereon, far more than on retaliation, harmonious relations were seen to be founded, became the basis of a system of law intended to attract the lucrative stranger; and in proportion as Rome became the centre of a great traffic of all nations, so alongside of the old civil law there grew up the new body of what was called "Natural Law". The one sprang out of the old retaliatory system, the other from more fraternal ideals.

But we learn from Cicero and other writers that the unwritten law, the *jus non scriptum*, the general but vague feeling of what was just and reasonable, always affected the administration of the established law, and constantly determined the course of new customs destined eventually to find their place in law. These changes were, perhaps, as Maine suggests, hurried on by the introduction of Greek philosophic notions, wherein, as in Plato's laws, the fraternal aspect of justice alternates with that of retaliation between armed men. Cicero, in his *De Legibus*, insists upon treating all men as one great commonwealth, holding that to each of them there should be applicable certain rules of right to be found in every honest mind. He has thus in view "one justice by which human society is bound together, and which is established by the one law of sound reason, and if any one ignores this he is unjust, whether the law be anywhere written or not". This is a claim to the paramount sway of a certain ethical ideal, whose basis was not that of public law, the returning of evil for evil, but that of perihestic harmony, which is to return good for good.

We see the same infusion of perihestic ideals into aphestic law among the Greeks if Aristotle is a safe guide, for in the *Politics* (iii., 16) he maintains that "the moral law is far superior to the written law," and this, taken along with his statement that "retaliation does not fit in with the idea of justice" (*Ethics*, v., 5), would imply a moral sense that has grown up independently of all legislation. Aristotle tells us how difficult it is to affect people by laws imposed upon them, for "they do not easily change, but love their own ancient customs" (iv., 5).

The Mosaic law suffered the same modification. Think of its provisions in regard to polygamy and concubinage and the levirate; of its regulations for inadvertent manslaughter and the vengeance of blood, its water of jealousy and its treatment of slaves, and its rules of warfare. Among the Jews of the time of Christ all these were abolished or profoundly modified. If we ask why it so happened, we find no amending legislation, no supplementary codes to authorise the change; there is nothing to account for it but the intrusion of ideas of equity into the legal domain.

Among the barbarian peoples of the early mediæval periods in Europe, the rude retaliatory laws were strongly affected by the ready accessibility of the great body of Roman equity which easily gave accurate expression to the new ethical notions as they arose. Savigny has shown us how erroneous is the current view that Roman law was wiped out of existence at the overthrow of the empire. (*Geschichte des Römischen Rechts*, iii., 83.) Montesquieu also demonstrates (xxviii., 4, 6, 7, 9) that it flourished for centuries in accordance with the barbarian idea that each man should be judged by the law to which he was born. To give effect to this system, many of the Teutonic kings in the sixth and seventh centuries caused compendiums to be made of the Theodosian code for the use of their Roman subjects.

In proportion, therefore, as ethical principles arose to modify the old systems of retaliation, the barbaric codes gradually absorbed from the old Roman law such fragments or general notions as applied to the new feelings. At first, no doubt, there was little in the mercantile orderliness of Roman law that was adaptable to the bloodstained violence of the days of Chilperic or Charles Martel; and yet after five centuries of fermentation, during which huge molecular changes were occurring, and in which the family unit had vanished to give place to the allegiance unit, the continental laws present a composite character in which the principle of barbaric retaliation is strongly tinged with Roman equity.

Guizot remarks (ii., 222) that in the capitularies of Charlemagne, one may see the slow infiltration of moral ideals, quite distinct from all that had previously formed the law of barbaric codes. About 7 per cent. of his legislation consists of such injunctions as these: "All men should practise hospitality," or "keep clear of theft, of unlawful marriage, of bearing false witness". It is evident that these maxims are ethical, inasmuch as they appeal to men's conscience; they are not legal, for in that case the penalty would be the central feature.

Thus by the twelfth century a strong tinge of morality was to be found in all the legal systems of Europe. In such a code as the Assize of Jerusalem, we find that though the

right of self-redress and the principle of retaliation are everywhere predominant features, yet the larger proportion holds much more analogy to Roman equity than to the Teutonic wergild.

If there were any doubt as to the process then going on, it must be dispelled by the fact of the steady growth of a lawyer class in the thirteenth century. The rise of this profession is always referred to the age of St. Louis in France and of Edward I. in England. What need had there been for lawyers when all disputes were settled by the law of the strongest, or by compensations offered apart from courts or judges? But in proportion as society grew more settled, as trade became complicated, as the succession of property began to follow more orderly lines, the old laws were found in every way inadequate. Had there been no body of Roman law at hand for adaptation, the usual course must have been followed; independent customs would have grown up and become stereotyped, whereby the new problems would have been slowly solved in accordance with the more ethical spirit of the age. That which really happened was not essentially different, but the new custom, instead of developing wholly from within, took its shape to some extent from the maxims of Roman law. No country adopted any solid mass of either institutes, or pandects, or codes, but, as occasion arose, it adopted fragments as solutions of difficulties, and, each small portion thus becoming a precedent, the customs of a former age became short-cuts to the legal devices of a people passing through the same stages more than 1000 years later.

It was under these circumstances that the man well versed in Roman law began to be esteemed. At first he was very generally found in the Church, whose canon law had much in common with the Roman law, being, in fact, largely derived from it. But in the fourteenth and fifteenth centuries, the new study of Roman law began to pass over to learned men of the more responsible plebeian order; these became the men of business, the secretaries, the agents, the attorneys of the day. To cases not provided for in the old customary law, they more and more applied the principles of Roman law, and as they gradually worked their way to positions of authority,

to the bench, and the chancellorship itself, they succeeded in the course of two or three centuries in giving to equity a sort of concurrent jurisdiction with the old common law. On the continent the new system was destined to overshadow altogether the old, and the codes now prevalent there are direct descendants of that old mixture of civil and natural law which the Roman codes presented. In England the process has been different. The ancient local customary law held its own within its own sphere, but alongside of its special courts, there grew up courts of equity which administered, not exactly the Roman law, but the traditions and precedents which originally had had the Roman law for the source of their inspiration.

It is important to bear in mind this distinction. For it is to be remembered that no king, nor any legislature, ever proclaimed the Roman law or any part of it to be an effective portion of the law of the land. Every maxim introduced from the ancient jurisprudence came in fortified with but the one sort of sanction, its harmony with growing reason, and with the more delicate sympathies nursed around the fireside. Nor in this process was there any strict confinement to maxims of Roman law. Into the new body of equity there was absorbed a large amount of usage which had nothing to commend it but an antecedent sense of justice.

It is not to be concluded that common law was therefore uninfluenced by the growing spirit of morality. While professing to be for ever the same, to be handed down unchanged from antiquity, it was slowly changing, as our bodies change, its identity unaltered, but its substance in a condition of imperceptible withdrawal and renewal. Every case that arises has some infinitesimal difference from every previous case, and every trifling difference offers a scarcely appreciable opportunity of interpreting according to the newer spirit of the age. Hence in dealing with the most common and frequent class of cases a series of infinitesimal alterations takes place, and as the integration of a sufficiently large number of inappreciable alterations produces an appreciable change, so at the end of five centuries a common law system that had never been seen to change in any decade may be wholly trans-

formed. But it is a manifest token of the process which I am here describing that up to the year 1837 England had its two distinct systems of law, one the common law, professing an unchanged derivation from the remotest antiquity, and, in fact, holding by unbroken descent from the vengeful retaliation of family against family; the other professing not mere usage, but something better—the principles of even dealing between man and man.

These maxims of equity were at first of weak effect as being innovations and therefore wanting in authority, but each decision formed a precedent, so that in the course of a few centuries the new ideas became as rigid as the old, and in course of time English equity began to smell as musty as common law. Sir Henry Maine says (*Ancient Law*, p. 69): "It is easily seen by the English lawyer that English equity is a system founded on moral rules; but it is forgotten that these rules are the morality of past centuries, not of the present; that they have received nearly as much application as they are capable of, and that though, of course, they do not differ largely from the ethical creed of our own day, they are not necessarily on a level with it". The effect of time, therefore, was to make the two systems approximate; equity assuming more and more the shape of usage, while the common law of usage slowly absorbed from the ethical feeling of the time so much as to make it more and more the semblance of equity. No great practical change, therefore, was felt when in 1837 the two were formally amalgamated.

If it were permissible to turn this inadequate, and perhaps not always accurate, sketch into a detailed history ten times as long, it would grow manifest beyond all doubt that law has never been the source of morality; but that into law there has been a slow, but steady infusion of moral ideals, whose origin has to be sought in a wholly different atmosphere.

XII.—Law as a Reformatory Agent.

Though law is in its origin essentially retaliatory, yet at a tolerably early stage it assumes to some extent the character

of a deterrent. When a man takes vengeance for an injury, he is generally actuated not only by a thirst of satisfaction for the past, but also by a grim resolution to prevent a repetition in the future. As Plato puts it (*Protagoras*, § 39): "He who endeavours to punish with reason does not exact vengeance for the sake of past offences (for what has been done, he cannot make undone), but for the sake of the future, that neither this man himself nor any other who sees him punished may again think unjustly".

It is true that the early laws did not punish with reason, and that vengeance was their fundamental purpose, but the law as a terror to evil-doers must have been an incipient idea, even at the very first; and the deterrent character eventually overshadowed the other feature. Nevertheless, the primitive idea still lingers in considerable strength. Only thus can we understand the current notion that a man can "expiate his crime," as if an injury were something that could be cancelled by a certain amount of subsequent suffering.

We may not go quite so far as Professor Cherry when he says: "The idea of punishment as deterrent and reformatory is quite modern". The truth is that law was at first only the definition of retaliatory customs, but that at an early date, the idea of deterrent effect supervened, while the notion of reformatory effect, thought abstractly present in such expressions as "Whom the Lord loveth he chasteneth," was yet no consistent purpose of the law until within the last century or two.

Early law was little concerned with the ferocity displayed in private vengeance. Its sole business was to prevent revenge from passing into feud, and feud into chronic warfare. But if the injurer were too poor to pay the composition which the law specified, he was left to such mutilation or such form of speedy or torturous death as seemed good to the injured person.

When the State, generally in the person of some king, undertook to inflict the retaliation, ferocity was still a very prominent feature, not only for the purpose of satisfying the injured person, but also to deter others from acts that tended to a breach of the king's peace. Monstrous cruelties were

inflicted in the name of justice in all states of the barbaric or lower civilised grades, and still are perpetrated in existent communities at these stages. It is only in recent times that the nations most highly advanced have ceased to rely on the infliction of terrible sufferings as their only means of keeping order. Stephen quotes from the registers of the reign of Queen Elizabeth to show that 800 persons were then hanged in England each year, and if the same rate were now in force for the increased population of the British Isles, it would give 10,400 per year instead of the seventeen which has been the average annual number during all the reign of Queen Victoria. In the time of Henry VIII. a poisoner was publicly boiled alive in London, and only last century in France a would-be regicide was torn limb from limb by horses. Up to 1832, all French criminals convicted of the crime of parricide had their right hands cut off before they were beheaded. In all European lands until a century and a half ago, the chopper and block of the hangman were in constant occupation, and showed the predominance of a pure spirit of retaliation in the administration of justice; for it never could be supposed that to cut off the right hand of a thief was the way to help him to earn an honest living. The criminal laws of the sixteenth century had the one consistent but ferocious course; when the offender came up, he was flogged, branded, or mutilated, then flung aside, and when almost of necessity he came up again he was executed and so put out of the road. The process was one of utility to us, for of every thousand infants born and reared beyond the period of childhood, five were thus on the average withdrawn by hanging. Now as these must on the whole have been of the less desirable type, the gain in general inheritance of moral disposition would be very considerable. None the less, the laws were undesirable which carried out this process.

In our time, the success of our efforts to reform our criminals is very much more problematical. When a notorious thief was hanged, his career was for a certainty closed, and in a world of struggle among competing types he left room for his betters to spread. Among ourselves, probably not one criminal in twenty undergoes any essential

change of character even in an Elmira prison; the other nineteen continue to eat and drink and wear out clothing provided at public expense: that is, they ultimately may be reckoned to occupy room which a better type might otherwise have filled. Yet is our present course the nobler and worthier. It has within it the lofty moral principle of, in a measure, returning good for evil, and it proclaims that the community has abandoned its old selfish policy of pure retaliation, and that it is learning to see in the criminal, not only the injurer, but also the human being with capacity for suffering even though with small power of self-control.

The story of the growth of that sentiment which seeks to reform the offender, which no longer takes the life of the man who has robbed us, but uses the prison to which he is sent as a means of doing him good, would be singularly suggestive of the natural development of sympathy in recent years and of its infiltration into the domain of law. But it is enough if we see that it is the average ethical sentiment of the people which gives to the law its moral tinge, and that the law is never an external instrument of imposing morality on a people, though it may be employed by a majority of better type in forcing the inferior types to conform to its own ethical standard.

We, therefore, have to reverse the old sequence current half a century ago. Kant tells us (Introd. to *Metaphysic of Morals*, chap. i.) that morality consists in the agreement of one's actions with ethical laws, and Paley sees the source of the distinction between right and wrong in a universally binding law. A little familiarity with the course of legal history, lightly skimmed with an amateur hand in these three last chapters, would have shown them that laws are only the expression of the moral ideal which the age has reached, ethical laws being in their origin the ideal of the family, judicial laws being the ideal of public order.

Morality is, therefore, no offspring of the law; it is a thing which has grown, is growing, and will for ages grow as a natural consequence of the needs of social life; it is the fundamental condition which underlies the development of a slowly maturing type of high intelligence in individuals;

of the solidly harmonious type of peaceful friendliness in society. These are the successful types; they survive, and their inferior competitors go out. Law is nothing more than a mere artificial contrivance for helping to methodise and regulate a process which would go on without it, though materially assisted by it.

The process of moral development, as I see it, has been a slow dawning of parental sympathy passing by degrees into more general sympathy, whence arises a simple and natural morality which is strengthened and deepened by the growth of the sense of duty and other accessory developments of sympathy. Out of the morality thus engendered springs whatever is moral in law, though, fundamentally, law is not moral but retaliatory.

CHAPTER XXII.

THE NERVOUS BASIS OF THE EMOTIONS.

Emotion Arises from Bodily Stimulus.

If it be true that in the preceding chapters the foundation of all moral feeling has been traced to those emotions of sympathy, which in parent, spouse, and friend, have had so strong a preservative value in the development of races, then our natural curiosity centres round the question as to the physiological nature of these emotions. What is there in the bodily structure of a mother that bids her thrill at sight or touch of her little one, that melts her to tenderness at its voice and rouses her to fierce effort at its danger? What is there in the body of the youth that will make him confront lions, or swim dark streams, or toil long years in foreign lands to win the smile of a maiden? What bodily excitability is it which will send a man with cheerfulness to lose his life on behalf of his country or to plunge headlong into the fatal fight to rescue the comrade who lies fallen and trampled?

In proper order it is a question antecedent to all that have yet been discussed in this book. Nevertheless the larger share of its importance depends on the conclusions already reached, and, therefore, whatever of interest it possesses must be more easily seen in this concluding part than in the beginning. I have been chiefly inclined, however, to place the discussion in this inverted position, because, while all that goes before appears to me in its broad features to be the statement of certainties, there will be some small admixture, perhaps in the opinion of many a very considerable infusion, of the speculative in what is to follow. The reader will possibly feel himself overwhelmed with a deluge of undoubted facts, yet decline

without some protest to draw from them the conclusions hereafter to be indicated. That, however, will, in my opinion, only last till certain not unnatural prejudices wear away, after which he is more than likely, at least so I think, to admit their cogency.

Sympathy being only a part of our general emotional nature, its physiological basis cannot be studied without considering the general foundation of all our emotions, and in the two following chapters I hope to establish the general proposition, that emotions, on their physical side, consist of alterations in the vascular tone of the body.

I am far from asserting that these bodily changes provide in themselves the complete history of any emotion; for that would be to ignore the mysterious chasm that lies between the physical and the psychic. It may, no doubt, be absolutely accurate to say that the sense of sight is on its physical side a certain molecular motion imparted by light to delicate elements of the retina, and thence transmitted by the optic nerve to the cells of the outer brain layers, yet that explanation is admittedly incomplete till we have duly allowed for the psychic side of the phenomenon. In the case of all our senses, we follow a subtle chain of bodily alterations, till we lose it in a certain tract of as yet impenetrable gloom. But across that mist-wrapt gulf we carry our glance, and there, in a clear but unattainable field beyond it, we recognise that very train of bodily changes, transformed to changes of conscious condition.

I propose, similarly, to follow up the emotions on their bodily side, reluctantly but inevitably losing them in that same gloom, and yet recognising them again on the other side in the clear region of consciousness. I mean to show, for example, that anger consists primarily of a certain bodily sequence in which, as the result of certain nerve stimulations, the great visceral blood-vessels are sharply contracted. In consequence of this the blood fills with a hard strong pulse all the surface vessels of the body. Hence arises an increased metabolism, and the muscles are supercharged with energy that is capable of being discharged in explosions followed by general lassitude. In this view, however, I shall not ignore, but only for the time being neglect, the conscious

phases of anger which seem to be derived from, though so mysteriously different from, the corresponding bodily states.

In a preliminary broad classification we may notice that all the simple emotions naturally fall into two divisions, those that exalt and those that depress the bodily powers. These emotions exist because it has at all times been essential for the preservation of an animal that it should sometimes be stimulated to assert itself to the utmost, sometimes be induced to withdraw itself from danger. Such operations must take place in automatic fashion, or else they are useless. When the rabbit peeps forth from its burrow and sees a fox skulking in the bracken hard by, or when it sees the shadow of the hawk moving on the grass, the problem must by no means be left for the mind to decide whether to advance or retire. A reflex action settles the matter. The loss of a second or less will mean destruction; and a glance that lasts only a small fraction of a second is sufficient to damp down all the vital energies of the creature, and bid it slink back into security. And the whole safety of an animal of this timid class lies in the excessive susceptibility of its nerves to this sort of depressing action. There is no interference of thought in the process; the eye receives in that one look a stimulus which not only produces a definite and co-ordinated muscular response but also shuts down the vital powers, and this bodily condition subsequently reports itself in consciousness as fear.

Whether for exaltation or depression, the action of the stimulus is equally automatic. Suppose that a terrier is eating his dinner when a cat approaches to filch from the plate. Now it has been an essential of dog existence for long cycles of years that each should be able to assert its own rights. One glance at that furtive cat alters the whole constitution of the terrier, whose blood begins to course with violence, whose surface temperature rises, whose every muscle grows tense, including the muscles of the larynx, so that the easy breathing becomes converted into a low growl. At every nearer approach the bodily effects on the dog become exaggerated till he darts forth, and his neuro-muscular stress explodes in a violent attack. But if the terrier while eating his dinner should catch a glimpse of something which ap-

proached, and, looking up, recognised a huge mastiff, then the stimulus would have a wholly different story; down goes the heart's beat, becoming quick but feeble, the muscles relax, the tail drops, the head declines, and the animal slinks back.

All animals are gifted with this double set of susceptibilities, the one capable of firing them up where energy and self-assertion would be to their advantage, the other of damping them down where these things would mean destruction. It is as in a pianoforte where the touch of one pedal releases the full sound of the trembling wires, while the touch of the other shuts them all down. And just as the musical effect will be dependent on two things, first on the ready action of the internal mechanism, and secondly on the application of an external pressure, so, in an animal's body, an emotion will depend firstly on the local supplies of nerve force, and the readiness with which they can be released, and secondly on the nature of the stimulus by which these are actuated. A man, through disease, or drink, or overwork, may have his body in a condition so morbidly excitable that a small stimulus not ordinarily capable of casting one into a fit of anger, or into a state of melancholy, will be quite sufficient to render him purple with passion or pale with morbid apprehension.

This bodily predisposition to emotion is well recognised and often utilised. The general who wishes his soldiers to fight well will try to have them warm, well fed, and comfortable on the morning of the combat. When their bodies are thus prepared easily to assume the choleric condition, when courage is thereby readily excitable within them, he is wise to give them the proper stimulus. An inflammatory harangue, in which their murdered wives and flaming homes or some such picture may arouse the self-assertive instincts, will send them into battle with pulses bounding, and eyes lit up by the tension of the muscles behind them. If the general can show them a few mutilated bodies of their countrymen they will cast themselves on the foe with irresistible fury.

On the other hand, many a battle has been lost because an army rose to face it after a comfortless night; if they have stood too long in wet clothes, if their last few meals have

been scanty, it is almost useless to try the effect of stimulus. Their bodies are unfit for the reaction of courage. A hot drink supplied all round to a cavalry regiment half an hour before the time to charge might easily add half as much again to the spirit of the onslaught. The original use of all emotion was merely to rally an animal for a crisis, whether to seize a victim or to escape an enemy. And so we are able to appreciate Spinoza's definition (*Ethics*, part iii.): "By emotions I understand those conditions of the body whereby its power to act is increased or diminished, aided or controlled, and at the same time the ideas of these emotions".

I propose to show that, just as the intelligent life of the animal finds its basis in the cerebro-spinal system of nerves, so its emotional life finds its basis in the sympathetic system. The former was originally developed in order to co-ordinate sense stimuli and muscular exertion. Intelligence was an eventual growth. The latter system had for its earliest use the adjustment of blood-flow. Emotional capacity was a subsequent development.

The Two Nerve-Systems.

The nerves of every backboned animal belong to one or other of these two systems, the cerebro-spinal and the sympathetic. The former consists of the spinal cord and the bulb at its upper end, which forms the medulla oblongata behind the nape of the neck, together with the cerebellum or lower brain and the cerebrum or hemispheres which constitute the upper brain. From every sensory part of the body afferent nerves bear to this central system news of the world without, and from that central system the multitudinous efferent nerves carry to all muscles the stimulus to act as external emergencies demand.

The sympathetic system is much the less massive of the two. It consists of two cords of nerves running parallel to the backbone close on either side of it. In each of these cords numerous ganglia occur (man has twenty-four). Every ganglion, except three in the neck, is connected with the adjacent spinal nerve by a small transverse nerve or commissure. But more than a dozen long branches from these cords

lead inward to the heart and abdominal organs. Each branch terminates in a plexus, or elaborate network of nerves, with solid expansions of nervous matter, lying around the organ it is intended to supply, the largest of these being the solar plexus, which lies on the under surface of the stomach, and just above the kidneys. This is by far the weightiest portion of the sympathetic system, and next to the brain is the heaviest nerve mass of the body. In each plexus there is a ganglion which acts as a sort of junction or exchange for the nerve lines, bringing from the bulb at the upper end of the spinal cord, not only supplies of nerve force, but also central impulses of control whereby local autonomy is kept in general harmony with the needs of the whole body. (*Diagrams of the Nerves*, Sir W. H. Flower, plate v.) The nerves which enter any such ganglion are of the kind called medullated; they are sheathed in a delicate coat of a fatty nature. The nerves which leave it are non-medullated. (Gaskell, *Journ. of Physio.*, vii., p. 33.) This apparently implies that the ganglion receives its supply of nerve energy from the brain, but that this energy is thence distributed, perhaps after being to some extent stored therein. (Bastian, *The Brain*, p. 475.) The theory I am now explaining is that emotions, on their physical side, consist of automatic releases of this nerve energy by sense stimuli, so as to alter the relative calibres of visceral and peripheral blood-vessels.

There is another department of the sympathetic in which the nerves are small, but by their huge number and complexity make themselves a most essential feature of a highly developed animal. These are the vaso-motor nerves, with which, for the purpose of this broad sketch, I shall include the glandular nerves. Wherever any artery goes, however small, through the body, it is accompanied by vaso-motor fibres. The walls of each artery are composed of muscular bands like india-rubber rings, differing, however, from these in this essential fact that, while the ring when left to itself is contracted, requiring some external force to dilate it, the muscular walls of an artery are when at rest considerably dilated, and external influence is needed to make them contract. Now an artery everywhere consists of muscular rings lying side by side so as

to form a continuous tube which is lined without and within by thinner elastic membranes. Each muscular ring is under the control of the vaso-motor nerves which accompany the artery; probably enough, each ring is supplied with its own vaso-motor nerve-fibre, by the discharge of which it is made to contract. Moreover, nicety of adjustment is secured by the fact now tolerably assured that each muscular ring is supplied not with one only but with two such fibres of opposite function. Whilst the constrictor nerve-fibres can cause the ring to shut up in a convulsive contraction, leaving no intermediate condition between one of unrestricted flow of blood in the artery, and one in which there is scarcely room for flow at all, the dilator nerve-fibres, which also act upon every muscular ring, serve to counteract the influence of the former, and in a proper adjustment of the strains thus caused, the constricting strain and the dilating strain, lies the tone of the blood-vessels, and, in consequence, the tone of the body, and again, in consequence, the tone of the mind. Let a sudden stimulus from a central shock spread through the visceral nerves so as to constrict the great blood-vessels of the abdomen; we know that in consequence the arteries of heart, brain, and superficial muscles will become gorged. These organs become exceedingly active, and the body is thrown into a condition which must be felt in consciousness. That state of consciousness, as I propose to show, is one or other of the exalting emotions, such, for example, as anger. The same sort of effect in varying degrees, and with varying conditions, may be felt as indignation, or courage, or zeal, or hope. But suppose that the outward stimulus is one which dilates the visceral vessels, and that by this action, either alone or in conjunction with peripheral vaso-motor effects, every artery of brain and muscle is depleted, then the skin becomes pale, the muscles lose strength, and the pulse is quick but feeble. This bodily condition in a very brief time reports itself in consciousness as terror or fear; or with a less sudden effect it may be merely anxiety or melancholy. I hope to show that sympathetic emotions are of the same nature, differing from other emotions only in the fact that their stimulus is the contagion of ordinary emotion in other people: the sight of her babe all rosy and

happy sends the blood in full refreshing currents through the relaxed arteries of the mother; while the sight of its pinched and suffering features, when first she realises that death is threatening it, closes down every artery, makes her pale and throws all her system into that condition which is reported to consciousness as unhappiness. The growth of the moral instinct has been based on the development of nerves delicate enough in their susceptibility thus to react at the sight of another's pains or pleasures, so as to give at the aspect of joy the happiness of quickened health, at the sight of pain the uneasiness of a lessened vitality.

Gaskell, one of the highest authorities on the sympathetic system, divides it into these three portions: (1) nerves of the vascular muscles; (2) nerves of the visceral muscles; (3) nerves of the glands. (*Journal of Physiology*, vii., 2.) In the first division he includes not only the vaso-motors and vaso-inhibitors, but one of the three nerves which actuate the heart, that nerve whose function it is to quicken its beat, while the more directly spinal nerve (vagus) slows it and steadies it. The third nerve of the heart (depressor) is the safety valve of the system. If some stimulus has set the heart too vigorously to work so that the blood pressure in the vessels of the body is dangerously high, this nerve carries an impulse, never to, but always from, the heart to the central bulb in the nape of the neck, from which there goes in consequence an impulse to those sympathetic nerves (the splanchnics) which control the size of the large blood-vessels in the intestines. These relax, accommodate the excess supply of blood, and so reduce the general pressure on the surface of the body. (Waller's *Physiology*, p. 113.)

There is never enough blood in the body to fill completely at full pressure all the vessels at once. If the arteries and veins of the viscera be adequately supplied, those of the limbs, the brain and so forth (peripheral vessels), must go more or less without, so that after a hearty meal, when the blood-vessels of the stomach take a full share of the stream, mental work must be relaxed, for the brain is not adequately supplied, or if the individual insists upon working with his mind, the stomach is starved of its supply and indigestion ensues.

The same opposition of interests applies in perhaps equal degree to muscular action; a muscle when active requires five times as much blood as when at rest (Chauveau, *Travail Musculaire*); and it cannot have an increased supply without diminishing the volume that flows through liver, kidneys, and intestines. I shall accumulate in the following pages, proofs which, as I think, go to show that at least the fundamental emotions are based upon the balancing of the two supplies, that an exalting or stimulating emotion arises when in response to some cause, external or internal, the supply is shut off from the viscera and admitted in full streams to the muscles and brain; while a depressing emotion follows when the surface blood-vessels are caused to empty their stream into the visceral vessels.

It is easily conceivable how this adaptation would arise, that the reserve resources of the system should be thrown, now into one, and now into another of the scales of this balance, according as the exigencies of a crisis might demand. The captain whose vessel was about to be boarded might bring his firemen and stokers on deck and put cutlasses in their hands; but if, on the other hand, safety lay only in all possible speed he might send his bluejackets below to help to fire up the furnaces with all haste. So in the survival of an animal, a great preservative effect would be produced if its nerves grew responsive to stimuli in such a manner that when courage or even fury was necessary to carry it over a crisis, all the blood that could be spared from the internal organs would go to give increased energy to the muscles, and redoubled acuteness to the senses; while at a crisis in which resistance would be hopeless, it would be well that no need should arise for reasoning on the part of an unreasoning animal; that the effect should be automatic; that the internal organs should relax to receive additional supplies of blood, while muscle and brain should be proportionately stinted; the result being, of course, a shutting down of the animal's powers and the removal of any dangerous inclination to resistance.

We often exert our reason to control these fundamental impulses, yet even with us they are equally automatic. The man who, on stepping out into his garden, sees a cow busily

munching his choicest plants, feels an instantaneous rush of blood, which means anger, with mingled courage and zeal to seize a stick and drive her out; but when the animal lowers its horns for a charge, and turns out to be no cow but a savage bull, the man feels a shock at his heart, and an utter revulsion of emotion; which, he scarce knows how, lands him safe behind his door, pale and with the strength for a time gone out of him.

It has three times been my experience when passing at night up a path in a strange garden to have a dog spring at me with a growl, from the blackness. The sudden shock near the diaphragm, the derangement of circulation, and subsequent bilious attack were no result of a mere mental state but arose from a definite destruction of vascular tone by the action of a stimulus whose vital function was to bid me start back, and shrink from approaching danger. The suddenness of these changes is often known to kill. A grossly insulting word uttered to an apoplectic old man will, at a shock, so fill his blood-vessels with the rush of combative flow as to burst them at a weak spot; while a woman in a delicate state of health may, by a sudden shock of fear, have the blood-vessels so shut down that the heart, after a vain fluttering struggle to force the current through constricted channels, is stopped dead by the reaction.

In general, however, all such fatal results are prevented by the action of the depressor nerve of the heart. When the opening or closing of the superficial blood-vessels relaxes or increases the pressure, that change itself transmits an impulse to the bulb of the spine whence a corresponding impulse is carried to the sympathetic nerves of the viscera (splanchnics), whereby the capacity of their vessels is diminished or increased so that an accurate adjustment is rapidly set up between the force of the heart's beat and the altered resistance of the superficial blood-vessels. For the resistance of the internal vessels is in comparison of small account. The pressure of the blood in an ordinary large artery is sufficient to sustain a column of eight inches of mercury, or, in other words, if the blood from such an artery were admitted into an upright glass tube, its pressure would cause it to rise between eight and nine feet. But the blood which courses through the large vessels

of the liver has a pressure of less than half an inch of mercury; it would not raise itself in a glass tube five inches. Moreover, the same sort of reduced pressure is readily produced in all the large and flabby intestinal vessels. At any sort of paralysing shock to the splanchnic nerve all these vessels, which are of great capacity, expand and are gorged with blood drawn from the rest of the body. On the other hand, excitement of the splanchnic branch of the sympathetic will contract these vessels and expel much of the visceral blood to course through the surface arteries and capillaries. Thus whenever the face is whitened or reddened by emotion we know that blood has either gorged or deserted the intestinal vessels. There is therefore a constant balancing maintained between the circulation of the muscles and that of the internal organs. When the muscles require the blood for their work, it leaves the viscera; but when the viscera need it for the operations connected with digestion, it is withdrawn from the surface and the general blood pressure falls. But if it were to fall to one half of its normal, there would be danger of death through failure of the heart's action. The depressor nerve of the heart is there to secure the animal against too sudden or too great an exchange. (Waller's *Physiology*, pp. 110, 113.) The leg of a cat may, by due excitation of nerve, be made to receive either 20 per cent. more, or 48 per cent. less blood than its vessels ordinarily contain. (Bowditch, *Journ. of Physio.*, vii., 447.) Such extremes, extended through all the body, would be the physical basis of the extremes of fury or of terror.

Comparative Independence of the Sympathetic System.

In its simplest form, therefore, an emotion is due to a stimulus of sensation which descends from the brain to the ganglia and vaso-motors of the sympathetic system. And the emotions, accordingly, have towards the intellect the same sort of semi-independent relation that the sympathetic system bears to the cerebro-spinal.

The sympathetic system is exclusively charged with the

unconscious processes of life, the digestion of the food, its conversion into blood, the abstraction from it of all the solid matter of secretions produced by glands, such as tears, saliva, peptic juice, pancreatic juice, bile, and so forth; it is exclusively concerned with the purification of the blood in the kidneys, though little with the oxygenation of it in the lungs. In fact the old distinction made by Bichât (*Recherches sur la Vie et la Mort*, art. vii., sec. iii.), in which the sympathetic is the basis of organic life, while the cerebro-spinal is the system that controls the general animal life, deserves to be revived, though it is true that not all the penetration of his wonderful mind could make good the want of the vast resources offered by a century of subsequent investigation, and his views in consequence seem now in their details often crude and hasty.

The sympathetic system, which chiefly supplies the nerves of stomach, intestines, and blood-vessels, and also the motor nerves to the heart and the chief glands, is solely concerned with the nutrition of the body. The cerebro-spinal system, though it plays a subsidiary part in this work, is chiefly concerned with the activities of the animal as a single organism. The one has the function of the engineers, firemen and stokers of a steamer, who never are required to look outside, their business being confined to the keeping up of steam and the working of the engines. The cerebro-spinal system would correspond to the captain, his officers and seamen above, who are not concerned with the production of motive power, but taking that as a thing elsewhere to be secured, utilise it for the general handling of the ship. To them belongs the province of observing the relation of the ship to external things, of watching for dangers and of steering a proper course. A certain degree of independence must belong to the engineer's department, yet it would never be safe to suffer two wholly independent systems in the one ship. The engineer is alone responsible within his own domain, but he takes his orders from the captain. He reverses his engines or slows them without knowing the object, but entirely as directed, though in the management of his furnaces, boilers, valves and shafts, he is very little, if at all, interfered with.

Yet it might easily be conceived that he should be so trained that if he felt the ship running on a rock or heard a shot rush screaming through the hull of the ship he should instantly, and without orders, fire up his furnaces, shut down his valves, and bring his pressure of steam to a head, thus in response to an external stimulus rousing the ship to its fullest capacity for exertion. He might, in short, gather his forces for a great effort, and then wait for orders as to the direction in which that force was to be expended.

In the animal frame the sympathetic occupies the same sort of quasi-independent province, in general supplying without interference the energy that the cerebro-spinal system will utilise; not concerned as a rule with what goes on outside, yet capable of responding directly in the form of emotions to such external stimuli as demand an instant change in the production or distribution of energy.

The degree of this independence was for a long time a matter in dispute, but it is now considered to be fairly settled. As Waller says (*Physiology*, p. 509), "the question formerly debated whether the sympathetic is the independent companion of the cerebro-spinal system, or whether it is a dependent province of that system, may at the present day be answered in the sense of the second alternative". Nevertheless, it is everywhere conceded that a very large share of a sort of subordinate control is exercised by this system. Bastian tells us that "it is to a certain extent an independent system". (*The Brain*, p. 135 and p. 475.) Landois allows it an almost complete autonomy in so far as concerns the ganglia of the heart, the visceral plexuses, and all the nerve networks of the blood-vessels and lymphatics. (Stirling's translation, sect. 356.) Kirke in his *Physiology* tells us that "the sympathetic system is in a measure independent of the cerebro-spinal" (p. 286), and St. George Mivart declares that "it is in the highest degree probable that some sympathetic action is of the reflex order, complete in itself, and more or less independent of the cerebro-spinal system". (*The Cat*, p. 312.)

That its province is distinctly marked off from that of the other system is in a manner demonstrated by a prevailing difference in the structure of its nerve-fibres. In any cerebro-

spinal nerve the great majority of the fibres are found to consist of a conducting thread called the medulla; this is insulated from neighbouring fibres by a sheath of a fatty nature, the whole being enclosed in an outside membrane called the neurilemma. But the sympathetic nerve is characterised by the presence, either in large part or else wholly, of fibres much simpler in their structure. They are without sheath of any sort. Some of the sympathetic nerves in the earlier portion of their course have considerable quantities of the medullated fibres intermingled with those that are non-medullated; but, in general, when the nerve has reached its ganglion, the branches which prolong its course to their various destinations are without this admixture, and present the sympathetic type in all its simplicity. Moreover, the medullated fibres in a sympathetic nerve are found on examination to have a different origin from those that are non-medullated. (Foster and Langley, p. 73.) The evidence seems to suggest that these medullated fibres form the means whereby the cerebro-spinal system exercises its general control over the sympathetic, so that while each sympathetic fibre has a sort of local centre in its own ganglion, it has a centre of superior control in the spinal axis.

There is another very important distinction between nerves of the sympathetic and those of the cerebro-spinal system. The former, and especially those nerves that are entirely non-medullated, terminate in involuntary muscles, muscles such as those which enclose the viscera and the blood-vessels; while nerves of the medullated or cerebro-spinal type run to the voluntary muscles. It is for this reason that the sympathetic system can be described as concerned only with our unconscious vegetative life, while the other controls all our conscious activities. In general, the voluntary muscles consist of fibres that are striped or striated, while involuntary muscles are unstriated. For instance, the muscles that compose the outer walls of the stomach, both the circular layer on the inner, and the longitudinal layer on the outer side, are composed of unstriated muscle, supplied with an abundance of fine non-medullated nerve-fibre. This is the typical structure of any organ, which, though active, is out of the sphere of our con-

scious activities. But the biceps muscle of an arm consists of striated muscle supplied with large medullated nerve-fibres, and this forms the type of our organs of conscious activity.

We are thus entitled to conclude that the sympathetic system is, as Gaskell puts it, differentiated from the cerebro-spinal by anatomical, physiological, and morphological characteristics which all point to a fundamental distinction in function. The names applied to the two systems are open to objection, and it is very customary now-a-days to refer to the "so-called sympathetic" and also in a less degree to the "so-called cerebro-spinal system". But as none of the newly proposed terms have succeeded in becoming generally current, I have retained the use of the more popular names. It must not, however, be supposed that I make a hard and fast line of demarcation between the two. Such lines very rarely occur in nature; but the difference between the two systems is quite as perceptible, yet quite as indefinable, as that between our emotional and our intellectual natures.

Influence of the Sympathetic on Emotions.

It is a conclusion which may be drawn with great probability that in every organ of the body and along the walls of every blood-vessel there are ganglia of the sympathetic system which are able to receive stimuli from local conditions, and to transmit their own stored up nervous energy for such movements and activities as may be locally necessary. Their function is principally to regulate the blood-flow so as to provide for local needs. They will turn the blood freely into the brain under the action of any stimulus to thought; they will turn it into the stomach under the influence of food, or into the salivary glands in response to the stimulus of taste. Sometimes their action is much more strictly local, as when a splinter runs into a finger; then, in response to that stimulus, and entirely outside the operation of our will, the blood-flow sets in towards the place and an inflammation expels the intruder.

Under ordinary circumstances each of these multitudinous ganglia yields its energy in this manner for local use by a slow and gradual outflow, always with reserves, never quite exhausted of its store. But in an emotion some part of them receive a stimulus which causes a more or less simultaneous discharge whereby these local stores of energy are utilised for some more general purpose.

One warm spring morning when I was walking through the forest, feeling my body in healthy tone, every ganglion using its proper share of nerve energy in pursuit of local requirements, a movement in the grass at my feet showed that I was in the act of stepping over a black snake whose head was reared for a bite; the leap I then made was one in no way dependent on my will or my mind, yet all the resources of my strength were by a single stimulus called up for a single specific purpose of the whole body. When the snake was killed, I walked as one in whom the former tone was deranged, the former ample resources of energy had been exhausted in one critical withdrawal; I was glad to sit down soon afterwards for a recuperative rest, and the mind could look back on an emotion of startled fear in which at the time it had no part, but which was strictly a bodily process. The history of any emotion is entirely analogous if we analyse it with sufficient care; bearing in mind, of course, that remembered sensations act in the same way as direct sensations, but with weakened force.

It is to be noticed that the whole motive power of an animal's voluntary activities is to be found in its emotions and in these only. No operation of the intellect will produce activity without emotion. The cat may see the mouse, but that has no effect upon her if no emotions are thereby aroused. The mouse may see the cat, but its subsequent activity is due to the emotions thus induced. If a man should see a lump of gold at his feet, he would not stoop to pick it up unless impelled to do so by some emotion. What though his intellect should inform him first that it was truly gold, and secondly that certain things might be had in exchange therefor? Unless he has some desires, some hopes which that gold can satisfy, or some fears which that gold can alleviate,

why should he trouble himself? Operations of the intellect can affect our activities only in so far as they present to us remembered or otherwise imaged sensations which are able to rouse in us emotion. Even the student, quietly at work in his lonely room, is kept to his book by emotion, and emotion only. It may be the emotion of ambition, or that of love of truth, it may be the emotions which are awakened by novelty, the little surprises, the little hopes and expectations, the sense of triumph in knowledge mastered, and so forth. At least it is plain that without some sort of emotional stimulus he gets no sort of return for his labour, and only in his emotions can he find any motive for it.

Thus on the mental side the three links in the chain of animal activity are—first, the sensation; second, the emotion thereby awakened; third, the action thus impelled. On the physical side these may be translated. First, the transit of a nerve stimulus from the sense organ to the brain; thence, an automatic current to suitable combinations of ganglia, the discharge of whose stored up nervous energy throws the vascular tone of the body into a corresponding state. Lastly, that vascular state results in appropriate action; if it is agreeable there is a tendency to continue the stimulus and perpetuate the pleasant condition; if disagreeable, there is a strong tendency to withdraw from it. Or the vascular tone may be such as to send the animal into the violent action of rage, the extravagant capers of joy; or, on the other hand, into the collapse of fear, or the dejection of grief.

Development of the Sympathetic System.

I shall leave the further proof of this theory to the next chapter; and assuming for the present that a *primâ facie* case has been made out in its favour, I shall proceed to show how, as it seems to me, this emotional susceptibility has developed, how it has in the evolution of species been superimposed as a new and preservative function on those sympathetic nerves whose primary duty was to regulate blood flow. On this early function were developed the secondary functions

of regulating temperature and of originating emotional conditions. In all cases of nerve action, the conscious phenomena have been secondary processes, derived from others which have had primarily a mechanical nature. It is impossible to say with absolute certainty what may be the degree of consciousness in the life of a jelly-fish, but in all probability it seizes and swallows its food, with no more consciousness than we have in making our hearts beat, or in closing the pylorus when food enters the empty stomach. A small animal touches a tentacle of the jelly-fish; thence goes a sense stimulus to a ganglion from which is automatically liberated a motor-nerve current travelling back to the same tentacle. The tentacle closes on the prey, which is with equally automatic action carried to the mouth and digested with as little consciousness as we ourselves have in the process of digestion. But in the upward scale of development the ganglia grow; they coalesce; they eventually form a brain, and that brain begins to develop its cerebral hemispheres, and, in the same proportion, mere automatic or reflex action begins to pass through that region of consciousness which lies between the phenomena of sense stimulus, and those of muscular action.

So with the emotions; they are at first mechanical. It is not till long after, that the reflex arc of sense stimulus and bodily tension passes through the tract of consciousness. The nerves which are eventually concerned in the production of emotional states have for their primary purpose only the regulation of blood flow. They develop, as a secondary purpose, the function of rousing the whole animal to action, or calming it down to the security of repose. But in consequence of its capacity to regulate the blood flow, this system of nerves subsequently takes charge of the due maintenance of body temperature. For that purpose it becomes most intricately subtle and delicate, and in consequence assumes new and wonderful susceptibilities in the way of emotion.

In all the higher animals it is the sympathetic system of nerves which undertakes the duties of blood distribution and of consequent heat regulation, upon which are superimposed the functions of emotional changes, but in none of the lower animals—in no invertebrate—is there any sympathetic. Yet

the duties of the sympathetic system are in a rudimentary way performed in the higher invertebrates by the set known as the stomato-gastric nerves. Just as it is true that no invertebrate has a brain, but that all the higher invertebrates have ganglia which are in a considerable measure early substitutes or prototypes of brain; so it is true that while no invertebrate has a sympathetic, all the higher invertebrates have a substitute or prototype in the shape of these stomato-gastric nerves. So close is the analogy that Agassiz (*Physiology*, § 115) had no hesitation in calling these nerves sympathetics; but the subsequent forty years of investigation have not endorsed his view. Huxley (*Anat. of Invertebrates*, p. 415) describes these nerves as being found in all insects. Bastian (*Brain*, pp. 95, 98, 101, 106) describes them for all the arthropods, that is not only for insects but also for the spider, centipede, and lobster orders. They preside over digestion, nutrition, and circulation.

The first humble appearance of these visceral nerves occurs in the leeches and worms, where they are represented by a small filament running along the back of the alimentary canal. In the cray-fish and other crustacea they exist in much greater complexity (Huxley, p. 330; Marshall and Hurst, p. 148); and in the higher molluscs they are still more intricate. (Huxley, p. 494.) But there can be no doubt that, as Bastian says (p. 106), these nerves reach their highest development in the insects. In the frontal or medial ganglion formed by the union of the anterior nerves on the walls of the œsophagus, we have the first hint of those abdominal ganglia which constitute in higher types so notable a feature of the true sympathetic system. This ganglion forms the centre of a little system of nerves connected with minute ganglia, the whole making a thin network over the crop and gullet, and giving off minute fibres to the air tubes which serve for the respiration of the insect.

It is impossible to say at what level in the scale of animal life the emotions actually begin. Like the sensations, they doubtless crept on so slowly and with so subtle a progress that none can mark the line above which they are and below which they are not. Sight, for instance, is originally adumbrated

by a sensitiveness to light of the whole body of the lowest protozoa; in higher forms special spots become more sensitive than others, and so the progress goes on till something which is distinctly an eye is reached. And yet it is only in the fish that an eye of the ultimate type first appears; and through all the vertebrates we see only the successive stages of advancement in that one type. Something of very much the same history is seen in the dawn of the emotions. In the lowest animal, the touch of its food will quicken it to action, and it must find some sort of satisfaction in the seizure and digestion of it. If when a snail is feeling about with its horns one passes any object near their ends they shrink backwards, and we are not unjustified in attributing to the animal some incipient sort of fear. When a leech is lying quiescent in the forest and hears, or as good as hears, some animal passing near, the rousing of its faculties, the sharp grip with one end upon the soil, the rearing up of the other, and the subsequent gallop with semi-circular strides, all seem to suggest an emotion wakened by the blood which is to be sucked. Yet these we must regard as only reflex actions similar to that by which we shut our eyelids when any object approaches the open eye. In all these lower forms of life, this at least is certain, that wherever we seem to see some play of emotions, it is manifested only by a change in bodily activity, such as the pouncing on some smaller animal suited to be a prey, or the avoidance of some larger one from which danger is to be expected. But in proportion as the sense nerves and the central ganglia become more efficient, as the stimuli from the outer world become more definite, so is there needed the capacity for these stimuli to throw all the faculties of the body into immediate co-ordination of effort for the appropriate action. In the earliest forms all these nerve actions are so mixed and so little differentiated that any discrimination of parts and their functions must be impossible; but by degrees the sense organs grow definite, the organ of mental power is rudely constituted; and we may suppose that a distinct part of the nervous system becomes adapted to respond to suitable stimuli, so as to produce emotions and to concentrate when necessary the bodily powers to meet a short emergency.

I conceive this function to belong to those portions of the nerves which control nutrition and circulation. Such an explanation is only of course an hypothesis which projects the more clearly traceable facts of the later determinate organisms back into the dusky twilight of earlier forms, and uses for its basis the probability of uniformity. But it is consistent with the fact which is so easily perceived that in proportion as the visceral nerves become more intricate and delicate, so does the animal become more capable of emotion. It would be easy enough therefrom to prove the truth of the hypothesis were it not that, concomitantly, the sense organs and the general nervous system improve in type, and we might then be attributing to progress in one part what was due to an accompanying progress in another part. But the development of emotional capacity would, upon our theory, demand increasing efficiency in the sense organs as well. A very strong and definite stimulus must be supplied by the sense organism, and this must be capable of penetrating beyond the central nervous system and of releasing the stored up nervous energy of the body in general, in order that there may be some display of emotional activity.

Certainly there is no emotional display in the lower forms of life at all comparable with that of the arthropods, the highest class of the invertebrates, in which the visceral nerves —those controlling media of purely organic as distinguished from animal faculties—are first seen to be extensive and complex. A crab, a cuttle-fish, a bee, an ant, exhibit the bodily changes that correspond to rage or fear, to hate or amatory passion. Romanes (*Mental Evolution*, p. 342), after giving the matter an elaborate scrutiny, considers that fear may be supposed to begin at the level of the worms, but emotions belonging to pugnacity and sexual choice he regards as being first unequivocally displayed in the insects and spiders. I have spent at various times some idle hours watching large ants under low powers of the microscope. I made flat glass cages for them, and observed the changes that occurred when ants of hostile species were thrust in to face each other. At once a swelling took place around the sting, and the extremity of the abdomen became translucent. The sting itself was thrust

out and in with some rapidity, the mandibles became strained and the whole body on the alert for the rush which soon followed. Ungovernable fury filled the combatants, who became lost to everything but the desire to hold each other grimly by the mandibles, while the sting of each searched up and down the body of the other for a vulnerable place. But that the whole was a bodily process seemed to be rendered clear by the fact that if the heads of the combatants were cut off first of all, their decapitated bodies, when pushed against each other, fought and stung much as before, though with less of co-ordinated effort.

With the vertebrated type there appears that system of visceral nerves, the sympathetic, destined eventually to take on functions so much higher and so much more complicated. But these do not at once make their appearance. They have never been traced in the two lowest orders of fish (Gegenbauer, Huxley, Günther); but in the osseous fishes, according to Réné Chevrel (*Comptes Rendus*, Sept., 1888), they present a series of ascending complexity. Some of the medium types (*Physostomes*) have ganglia which send not only threads to palate, jaws, eyes, tongue and gills, but also branches which anastomose with the pneumogastric nerve and form a network along the œsophagus; the first indication of what is eventually to be an elaborate system. The great majority of osseous fishes have threads of the sympathetic system running along the axillary artery, with ganglia here and there; the whole having no doubt the function of regulating the diameter of that artery. All the arteries that run between the ribs, and the arteries which supply the blood to the muscles of the tail-fin are similarly regulated.

So far as we can perceive, an emotional state in a fish is merely the stimulus of these nerves so that the regulation of the blood supply to different parts becomes adapted to the need of fight or flight. Romanes records that when a stickleback perceives another fish about to intrude on the area wherein his eggs are under guard, he has "seen the animal change colour, and darting at the trespasser show rage and fury in every movement". (*Animal Intelligence*, p. 246.) Günther (*Fishes*, p. 518) says that the fighting perch (*Belta*

pugnax) kept by the Siamese, just as the Malays keep game cocks, is of dull colour when in a quiet state, "but if two be brought together, or if one sees its own image in a looking-glass, the little creature becomes suddenly excited, the raised fins and the whole body shine with metallic colours of dazzling beauty. In this state it makes repeated darts at its antagonist, but both of them when taken out of each other's sight instantly become quiet."

I think it not rash to conclude in such a case that the emotion of rage consists in a change of circulatory arrangements whereby the supplies of blood usually allowed to the viscera are thrown into the muscles of the fins in order to animate the little combatant to his utmost efforts. Many fish, at other times dull, become resplendent at the breeding season, and others, such as the wrasses, are said to vary their colours most evidently with emotional changes.

The shark order, as being in other ways the most highly developed of fishes, ought to exhibit progress in this respect also. Bastian's expressions (*Brain*, p. 136) would seem to deny that they possess a sympathetic system equal to that of the average fish, but all other writers whom I have consulted speak in very different terms. Günther (p. 108) says that in this order "it is well developed though without cephalic portion". Parker describes the sympathetic ganglia of the skate as being remarkably large, and Balfour's testimony is analogous (ii., 467). In my own rough dissections I have often failed to trace the sympathetic in fishes wherein, according to competent observers, it ought to have been visible, but I rarely after the first few attempts had any difficulty with shark or dog-fish or skate. Sharks are among the most emotional of fish; on the one hand caution and fear, on the other hand fury and ferocity are manifested by them.

In almost all amphibia and reptiles there is an easily traceable sympathetic system. In a frog there is a pair of ganglionic chains on each side of the backbone, miniatures of those seen in the mammalia; from these are derived all nerves and ganglia of the great solar plexus or network which lies on the back of the stomach, and the cardiac plexus lying round the heart and providing the local control of its movements; the

remaining half-dozen plexuses are all present, as in higher types, to control the operations of the liver, kidneys, intestines, bladder and reproductive organs. (Marshall, p. 82.) The least advanced of these cold-blooded animals in this respect are the snakes, in which the sympathetic is to be followed only by a well-trained observer and with much care. In these the ganglia are almost entirely absent, and I have never seen a sign of a plexus. Schlegel says (*Snakes*, p. 66) that "the great sympathetic nerve interlaces in so many points with the vagus that it is impossible to trace its origin with accuracy". Huxley remarks that in the snakes "the sympathetic is not distinct from the spinal in the greater part of the trunk" (*Anat. of Vertebrates*, p. 260), and Wagner (*Physiol.*, p. 513) says that in these animals the vagus practically takes the place of the sympathetic except in so far as the spinal cord supplies nerves for the viscera. In all other amphibians and reptiles, the sympathetic is well developed, and they are all to some small degree capable of emotional conditions. When frogs are full of health, and when the spring-time has roused them to amatory passions, their croaking, prolonged through the night, is only their manner of working off superfluous energy in a way that facilitates the mating of the pairs, but at the flap of an owl's wings or the shadow of a stork above them an instant hush will indicate how the touch of fear will calm them down to a salutary silence. I have seen a large lizard (*Varanus*) asleep in the sun and gently stroked its head till it awoke. The first glance of its eye threw it into quite a strong emotional condition ; its neck swelled, its tail stiffened, its throat hissed, and the whole animal was roused for the open-mouthed dart of its rage. I have seen the colour of this lizard's tongue completely changed with fear.

Frogs, when angry, are able to swell, and chameleons at the sight of a snake undergo an almost instantaneous change of colour, due apparently to alterations in the blood circulation. (*Nature*, xviii., 696.) Many lizards can inflate their bodies, and some species of snakes expand their necks, and hiss when angry: a few, especially the rattlesnake, rouse their bodies to make threatening noises of other kinds. If one teases a snake or lizard with a stick, the eyes seem to be on

fire, from the tension, I suppose, of the muscles behind them, the whole body swells with rage, and if the teasing be continued the stick will be seized with such fury that one may lift the animal by it, and it will hang in air supported by the grip of the jaw muscles. I have observed in many experiments that five minutes of such teasing will raise the temperature of a lizard, weighing about three-quarters of a pound, fully four-tenths of a degree centigrade. Reptiles are certainly capable of the emotions of rage and of fear.

But in no cold-blooded creature is the capacity for emotion really great; and so close is the connection between the warm-blooded condition and emotional susceptibility that it is generally realised in our common expressions. A warm-hearted man, a cold-blooded villain, and scores of analogous terms imply a popular conception of a connection which truly exists in fact. For delicate emotional powers became prominent in animals as the result of their developing capacity for maintaining a definite temperature. Birds and mammals, which alone of all animals possess the power of regulating their body heat, do so entirely by means of the sympathetic system, in which of course must be included the vaso-motor centre in the spinal bulb. It is this which adjusts the flow of blood, and adapts the action of the sweat-glands so as to produce a most marvellous uniformity of temperature.

To bring about this result the nerves of the sympathetic required to be made immensely more intricate and susceptible, and as their delicacy and controlling power increased they took on also more delicate capacities of such emotions as were preservative; a more dangerous rage, a more prudent fear; a more fiery amatoriness, a greater joy and a higher vivacity in life; and along with these they began to display useful emotions of a new sort, maternal solicitude, and social affections.

Development of the Warm-Blooded Type.

There seem to me to be two causes of this great development of the sympathetic system whose business it is to control the heat production and to regulate the temperature. The one,

which is earlier in time, but of less importance in the end, is the value of warmth in the breeding period; the other, of later development, but of much greater importance, is the value of heat in promoting activity and fulness of life.

The cold-blooded animals follow very closely the temperature of the medium in which they live. If they are of sluggish species, that concomitance is very perfect. I have kept a species of this sort (*Cyclodus gigas*) so peculiarly sluggish as to be popularly known by the name of Sleeping Lizard. Sometimes I had only two specimens, sometimes as many as eight in one box; I have taken the temperature of each during two years, morning and evening, for periods of a month or so at all seasons of the year. When the temperature of the air was rising the lizards would be colder, when falling they would be warmer, but after a period of steady weather, lizards and air were always closely alike in point of heat. Under any circumstances I have never seen the lizards differ by more than 2° C. from the air, through a range lying between 12° and 32°, and, while the average of all my 230 observations is 18·4° for the air, it is 18·1° for the lizards. When I sank two lizards up to the neck in five gallons of water and placed a lamp underneath which warmed the water at the average rate of 2·88° per hour, I found that the lizards warmed up at the average rate of 2·89° per hour.

These are creatures which rarely exert themselves; the food they require is slight. I have kept one for six months without sustenance; it seemed not to be inconvenienced. More active species require food, which they convert into work, of which a portion must necessarily appear as heat. Thus even a cold-blooded animal, if any way active, will in general be a little above the temperature of its medium. According to Dumeril (*Ann. des Sciences Nat.*, xvii., p. 1), frogs can maintain themselves about six-tenths of a degree above the temperature of the water in which they ordinarily exist; and the more the water is cooled the more marked is this difference. Hunter found that a viper could maintain its temperature about 5·5° C. above the surrounding air. But Dumeril found that with pythons and boas the difference was generally about 1° C. The heart's blood of newly killed

snakes I have found to be between 1° and 2° above the temperature of the air. Frogs can resist a strong heat, when in air, by evaporation from the skin, but snakes have little or no power of that sort. According to Dutroche (*Ann. des Sciences Nat.*, xiii., p. 20), the newt can keep itself from 2° to 5½° above the temperature of its medium; the turtle, 1½° to 3½°, and the common green lizard from 4° to 7° above the air. Max Fürbringer gives this lizard 7° of excess, while species of blind-worm can rise as much as 8° above the air.

I have taken the temperature of many fish, and never found that in one drawn quickly up there was so much as a degree of difference between it and the stratum of water from which it was drawn. But if the average fish is suffered to wriggle long in net or on hook it often warms itself thereby a degree or even two. This, as Günther seems to suggest (p. 456), is the probable explanation of the somewhat high temperatures occasionally remarked in fish. Dr. John Davy (*Phil. Trans.*, 1844, p. 57) records that some of the mackerel family drawn out of the Sea of Marmora were 3° to 4° warmer than the water from which they were taken. In the long list he gives (*Edin. Phil. Jour.*, 1825, p. 300), the fish differ in general from the water about ½° to 2°. In the case of a bonito it was noticed that while the sea was 9·2° C. the blood in the heart of the fish was 10°, but a thermometer slipped in between the muscles registered a local heat of 19·4°, indicating, as I think, the effect of a prolonged struggle before the animal was landed.

The inference is a perfectly safe one, as Martin long ago showed, that cold-blooded animals left at rest remain at the temperature of their medium, but that after a period of activity the work they have done appears partly as an increased temperature of their own bodies, the heat thus generated being, however, soon dissipated again.

It is to be noticed that internal action when the body is apparently quiet may have the same effect. Dutroche showed that the process of digestion warms a snake from 2° to 4° in the course of twenty-four hours; moulting warms it on the average about half a degree above the general temperature; and Barthold showed that frogs, both male and female, warm up

slightly at the amatory season. But very much lower animals exhibit a slight power of converting their food energy into body heat; oysters, snails, cray-fish, crabs, beetles, glow-worms, and leeches can warm themselves slightly, and Professor Valentin found that polypi, medusæ, echinoderms were equally able with molluscs, crustaceans and cephalopods to maintain an excess of one-fifth to three-fifths of a degree C. above their medium.

This, however, is very trifling compared with the powers of the more emotional insects, especially of ants, bees and wasps. In the pupa stage they follow very strictly the temperature of their media, the average of thirty-four observations of George Newport (*Phil. Trans.*, 1837, p. 259) showing that at that inert period of their existence, insects kept themselves only one-tenth of a degree above the air temperature. The fully developed insect, under conditions of rest, is equally dependent on its environment, but when excited it rises rapidly in temperature. A bee, for instance, may exert its wings as if in flying, but without moving from the spot; as all this expenditure of energy eventuates in no sort of work, it must appear in the form of heat, and so, as Newport found, a nest of bees when greatly excited could in half an hour raise their temperature 3·5° C., this being the result of twelve experiments on a nest of thirty individuals. The same nest more violently agitated gave as the mean of seven observations a rise of 5·3°. At times when bees are naturally excited, as at the swarming period, their great activity raises their temperature sometimes as much as 22°. There are other times when, though the bees are quiescent if left alone, the least cause of excitement rapidly warms them. In such a case, and while the temperature of the hive is practically that of the outside air, a sharp tap is enough to raise it by 17° C. in less than half an hour. (Newport.) According to the observations of Juch and of Newport, the temperature of an ant's nest is generally some 7° or 8° above that of the surrounding air, but if the ants are in any way excited, the difference is soon increased to 12° or 13°.

Influence of Temperature on Hatching.

It has been already indicated that a rise of temperature is the factor which quickens the period of hatching. Semper tells us (*Animal Life*, p. 129) that he has seen a temperature of 30° C. hatch out in a day young crustaceans which at 20° require a week. Many observations of Weissman, Merrifield, Dixey, Standfuss and others show that eggs of butterflies hatch out with increased heat in a greatly reduced time, and, according to Huxley (*Nature*, xxiii., 610), herring ova kept at 53° F. will hatch in from six to eight days; kept at 50° they require eleven days; at 46° they do not hatch before fifteen days; and at 38° they require forty days. These numbers point to a law that the time for hatching is inversely proportional to the square of the temperature, that temperature being reckoned above a certain initial temperature. In the case of herring, so far as these figures are enough to justify a conclusion, this initial temperature is 3° C. below freezing-point. Converting temperatures F. to others in the C. scale we have:—

HERRING.

Temperature.	Time Observed.	Time Calculated.
3·3° C.	40 days.	40 days.
7·7° „	15 „	15 „
10° „	11 „	10·5 „
11·7° „	6 to 8 „	8·4 „

During three successive seasons I hatched out the spawn of various species of frogs, floating them in glass vessels on the surface of thirteen little tanks each containing five gallons of water. By lamps burning day and night these were kept at definite temperatures. For each set of experiments I divided one and the same mass of spawn into thirteen parts of 100 eggs each, and kept them in an ascending series of temperatures, each being $1\frac{1}{2}$° above the one next it. The spawn at 30° C. always required less than a day and a half to hatch, but at 12° the time was about ten days. I made eleven sets of experiments of this sort, all

consistent with the law I have stated. I shall give here only the results of the last two, which I carried out with great care. In each glass vessel there were always 100 eggs kept at the one temperature; some eggs would hatch a little earlier, others an hour or two later than the rest of their set. I noted the time when twenty were hatched, then when fifty and when eighty, and took the mean of these three times as the time of hatching. Of course this cannot give accuracy within an hour, and indeed, in the case of slow hatching in the cooler water, accuracy within two or three hours is not possible. Absolute coincidence of numbers is therefore not to be looked for. In each of the two last sets there were thirteen bunches of eggs, but one was accidentally ruined when only half complete. The remaining twenty-five cases are set out, being blended in the order of descending temperature, the actual time of hatching being given in the middle column and the time required according to the law in the last column, the law being that

$$t = \frac{m}{(\mathrm{T}+a)^2}$$

where $m = 29{,}300$

and $a = -1°$ C.

t being the time of hatching, and T the temperature in centigrade degrees.

HATCHING PERIOD OF A FROG (*HYLA AUREA*).

Temperature.	Time Observed.	Time Calculated.
30·8° C.	33 hours.	33·1 hours.
30·7° „	34 „	33·2 „
28·7° „	36 „	38·2 „
28·1° „	39 „	39·9 „
26·6° „	38 „	44·6 „
26° „	48 „	46·9 „
25·2° „	50 „	50 „
24·3° „	52 „	54·7 „
23·9° „	59 „	56·6 „
23° „	56 „	60·6 „
22·2° „	65 „	65·1 „
22·1° „	68 „	65·9 „
21·7° „	67 „	68·5 „
21·5° „	73 „	69·8 „

Temperature.	Time Observed.	Time Calculated.
20·6° C.	79 hours.	76·2 hours.
19·7° „	82 „	83·8 „
18·9° „	85 „	91·5 „
18·5° „	88 „	95·8 „
18·1° „	107 „	99·8 „
18° „	112 „	101·5 „
16·1° „	Broken.	———
15·6° „	132 „	137·5 „
13·9° „	185 „	176·3 „
13·6° „	190 „	184·5 „
12·3° „	230 „	229·6 „
12·2° „	236 „	233·7 „

A similar law would seem to apply to the hatching of turtle and lizard eggs, but though I have spent some time in seeking to determine the point, I have lost two seasons through the difficulty of getting perfectly fresh eggs, and through accidents of transit and of heat regulation. The results obtained, though not inconsistent with the law enunciated, are still too scrappy to be conclusive. Yet they establish the simpler fact that a greatly increased speed of hatching accompanies a high temperature. Lizard's eggs (*Hydrosaurus varius*) which at 28·2° required five and a half days for hatching, took seventeen days at 21·1°.

And this is the only point with which we are here concerned, that a rise of temperature not exceeding 6° centigrade may often reduce the time required for hatching from three weeks to one week. Considering what an immense advantage it is to a species to have its eggs rapidly hatched, and the young ones early able to avoid their various dangers, it is on the face of it probable that this means will be frequently adopted. For the species which acquires the faculty of warming its eggs will eventually preponderate. Not that it will always necessarily follow that such a species must use its advantage only in the direction of a lessened time of hatching. Sometimes it may rather employ it in producing a superior type without diminishing the time. If a lizard and a rabbit be of the same weight, but the latter much warmer than the other, then it might be quite able to develop its eggs in one quarter of the time, but as a matter

of fact it may have made use of its greater speed not to go the same distance in less time, but to go a greater distance in the same time. The lizard at 15° will take thirty days for hatching; the rabbit at 40° will also take thirty days from the fertilisation of the ovum to the extrusion of the young one; the advantage in the latter case is not a saving of time, but an opportunity of higher organisation. Sometimes the result is a compromise, the species using its capacity for heat generation partly to shorten the time and partly to elevate the type.

It is curious to notice how many animals seem to have an instinctive perception of the value of heat in hatching. The solicitude of ants about their pupæ is well known, how they carry them out when the sun is shining and take them back in cold and cloudy weather to the warmth of the nest, which, indeed, they increase by a special degree of activity apparently for the purpose of assisting development. In the case of bees the experiments of Newport leave little doubt that this is the instinctive purpose. In a hive certain bees, popularly known as nurse bees, are detailed for the hatching service, and these by great activity of respiration, running up to as many as 240 breaths in a minute, are able to increase their heat-production twentyfold. Strange to say, this power is never exhibited in regard to the eggs, but is always reserved for the nymph stage. Round a nymph the nurse bees crowd in clusters, each of which by its activity reaches a temperature of 30° C. (*Phil. Trans.*, 1837) when the air is only 20°. Newport gives the elevation of temperature thus caused in thirteen cases which he observed. The average is a trifle under 10° C., but this advantage is sufficient to hatch out a nymph in eight hours; the last eight or ten minutes being a period of special activity. When the young bee is hatched it is very sensitive to cold, and crowds in among the warm bodies of its clustered nurses.

Of all the invertebrates only the most intelligent and emotional, the ants, bees and wasps, show this capacity. Among the lower vertebrates the same feature assumes a very different form. It is seen only in a few species, and then consists of a general warming up of the mother at breeding

time, and more particularly a warming of the oviduct or that part of it which forms a substitute for a womb. In the observations made by the U.S. Fisheries Commission in 1879 (see *Nature*, xxi., 156), it is stated that "fishes develop a measurable quantity of heat which is more apparent during the spawning season". The spawning haddock and hake were 3° and 5·5° above the sea temperature, while the dog-fish, as representing the shark class, is quoted as a most notable example of this power. A female with mature young in the oviduct stood nearly 7° above the water, while the young themselves were warmer still, being 11·5° above sea temperature. Anxious to get more definite information, I gave a commission to some fishermen to catch for me a number of small female sharks well advanced in the breeding season. At length I got eight specimens of *galeus australis*, seven of them full of living young ones. While the water they had been in for six hours was at 17·6°, they stood at 17·8° in the rectum, and 19·1° in the heart, but the young ones were at 19·4° on the average, one of them being at 20·8° when its mother's general temperature was only 18°. The venous blood of fish is always warmer than the arterial, for some of the internal work the animal does must appear in the form of heat within the tissues, and this must be carried away by the stream of venous blood to be cooled in the gills, and so returned as arterial blood at a lower temperature. But suppose that the fish has acquired the habit of keeping its eggs within the oviduct, and that in consequence a somewhat congested state of the blood-vessels therein ensues, which indeed was the case in the female sharks I examined, it is then conceivable enough that the heat elsewhere generated may be carried largely into that organ by the fuller but slower stream of warm blood pouring through it. All vertebrates are thus liable to be warmed in parts by congestion of these parts. I have seen in various mammals a state of amatory excitement produce a change of several degrees in the sexual organs, the average of four observations giving 3·6° C. It is therefore a thing in itself very probable that heat of this kind carried to the womb or oviduct must be beneficial to the ova, and that a tendency to congestion and heating of ovaries and oviducts would follow.

But this heat is derived from the general internal activity of the fish, and a very probable effect of such a change when once initiated would be to increase this activity and elevate the temperature of the whole animal. A single contraction of the larger muscles in a frog will raise the temperature of the animal about the eight-thousandth part of a degree. A single spasmodic effort of all the muscles may be roughly estimated, therefore, to warm the whole body about the one-thousandth part of a degree; and if the frog were hung by a string in the air and made two spasmodic jerks per second, it would warm itself a degree in about eight minutes, just as I find that a man can warm himself the tenth of a degree by lifting twenty pounds half his own height thirty times in quick succession. If he were not provided with a means of ridding himself of all superfluous heat, he could go on in this way acquiring an increasing temperature. The fish and reptiles have no such regulating system, and a large part of the work they do must appear in the form of body heat.

No very great degree of activity, therefore, would be required in the female shark to keep her internal organs at the two or three degrees excess which various observations record, and it is easy to realise that whilst the oviducts were congested there would be congregated in these organs a disproportionately augmented share of heat. The difference recorded by the U.S. Fisheries Commission would imply a reduction of the hatching period from fifty days to fifteen, and it is very easily conceivable that when active females had acquired this greatly increased opportunity of leaving progeny, the habit of thus warming themselves up at the breeding season would assert itself more and more.

I am inclined to suggest, therefore, that the warm-blooded condition of the higher animals took its earliest origin in this tendency, though its immense development was due to later causes. The frog at breeding season warms itself up a little, though in its case the provision for heating the eggs is generally found in some system whereby in sunny weather they are floated on the surface of the water. Viviparous lizards apparently warm up when with young. I found in a series of observations on four that the females with eggs

in them averaged ·3° C. warmer than the males, and in a second series of five lizards, observed daily during two months, the difference was ·2°. But as I never succeeded in getting a lizard to bring forth her young, all the females dying in captivity long before the eggs were ripe, I have no means of saying to what extent this heating process may go.

But with the snakes our knowledge is fortunately more definite. Dumeril found by a long series of observations that a boa under ordinary circumstances rarely exceeded the temperature of the air by so much as a degree, the average being about half a degree. (*Ann. des Sciences Nat.*, 1852, p. 1.) Adders placed in a slowly heated box followed closely the temperature of the air, till at 41° C. they died of heat.

Not only, however, do digestion and moulting warm up snakes as already mentioned, but at the breeding time they become higher in temperature. The best observations as yet made are those upon incubating species. In the careful account given by Forbes (*Proc. Zool. Soc.*, 1881, p. 960) of the rise in temperature exhibited by brooding females, we see that a Python Sebæ, during the eighty-two days of its incubation, stood at an excess of 3·8° to 11° C. above the air. A Python Molurus under the same circumstances, coiling round her eggs, gave as the highest excess during six weeks only 5·4°, but she failed to hatch her eggs, though they were fertile. Forbes notes that though male and female were coiled side by side all the time, the latter was uniformly 2° to 3° warmer than her mate. Valenciennes, who at the Jardin des Plantes was very successful in hatching out young serpents, recorded as the temperature between the folds of the brooding female no less than 41·5° C., being above the level of any mammal, and equal to the average of birds. Schlegel (*Snakes*, p. 91) asserts as the result of long experience that no snake's eggs will hatch at a temperature under 8° C., while many require a minimum of 25° C.

We find the reptiles become more and more scarce as we travel away from the equator, probably because of the want of heat to hatch them out; they are abundant in hot moist localities where the conditions of hatching are well satisfied. But in all cases, even in equatorial regions, it must be an

advantage when a mother by the warmth of her body can make up for deficiencies of heat occurring during the hatching period.

Temperature in Mammals and Birds.

Passing from reptiles we cross the borders into the warm-blooded animals at the level of the monotremes. These are truly to be classed among the higher type, for they have some power, though not great, of maintaining a temperature permanently higher than that of their medium. Baron Miklouho-Maclay's observations showed that the duck-bill platypus maintained itself only 1·5° C. above the temperature of the water in which it dwelt, the average being 25°, or about 14° below the general mammalian level. The species of echidna which the baron observed gave an excess of 7½°, but another species, of which I kept fourteen specimens under observation, gave an average excess of 8·2°. The general result is that whilst the higher mammals under precisely the same circumstances keep themselves nearly 20° above the temperature of the air, the monotremes could maintain an excess ranging only from 1·5° to 8·2°. But it is worthy of observation that at the breeding time they warm up a little. Lendenfeld tells us (*Zoologischer Anzeiger*, 1886, p. 9) that at that season the female echidna is about 2° on an average higher in temperature than at other times; the skin of the pouch becomes reddened, and there seems to be a sort of local inflammation going forward. When the female has young in her pouch her temperature may rise to 35°, or as much as 7° above her normal.

A step higher brings us into the lowest species of the marsupials. By the kindness of Mr. Le Souëf, of the Melbourne Zoological Gardens, I was able to take the temperature of some healthy wombats. Next to the monotremes they are the coldest blooded of all mammals, their average being scarcely 34°. No marsupial at its maximum reaches the minimum of the higher mammals. Petaurus stands at an average of 35·5°, whilst dasyurus I have found to range only

a trifle higher. Dr. Selenka records for didelphys an average of 36°; I found from eighteen observations on phalanger that the average was 36·1°, but the kangaroo family gave, as an average of four species, 36·7°, only a trifle under the temperature of man. All these degrees of warmth, however, manifestly varied with the temperature of the surrounding air to an extent never witnessed in man. This was shown by a long series of observations I made on the koala (*Phascolarctos cinereus*), in which the weather always changed the records for the animal, the difference between a cold day and a warm one ranging to four and often enough to nearly five degrees. The marsupial thus approaches, but does not quite attain either the high temperature or the fixity of temperature which characterise the higher mammals. And I observed that the females when with young ones were always, without exception, warmer than the males, or than the females without young. While the latter, as an average of twenty-five observations, gave 35·5°, the females with young were at 36·7°. In this species there are two teats, but never more than one young; only a single teat, therefore, is functional in any one season, and it enlarges while the other remains diminutive. I always found that side of the pouch which had the functional teat, warmer than the other, the average of the one being 36·6°, of the other 36°.

The result of these observations seems to show that the marsupials form an ascending scale of temperature, the highest record for each species being found in the female at the time when she is with young. It seems to me, therefore, very possible that the tendency to a warm-blooded condition may have been in the primitive mammal a distinct advantage to the female in the ripening and developing of her egg. It is plain that with the bird the warmth of her body is very essential in this respect, and high though it be in general it seems always to rise at the brooding period. I have taken the temperature of thirty-six fowls, lifted from their perches by night, and found it to average 41° C. exactly; while in the case of twelve lifted from the nests in which they were brooding the temperature was 41·44° C. A large number of fowls roaming about by day were caught as quietly as possible; their

temperature was 41·28° on the average. But a number were also caught which though known to be broody had not been allowed to sit. Their temperature averaged 41·7°. A similar though smaller series of observations on ten turkey-hens gave to those which were brooding an excess of one-third of a degree. Such an elevation would shorten the period of incubation of a turkey less than a day, and I do not, therefore, attach any great importance to it unless as a relic of a once much more decided tendency to a general warming during the breeding period.

The Limit to Warmth of Blood.

When muscle is warmed up it becomes more readily responsive to stimulus. As Waller puts it (*Physiology*, p. 333), a cold muscle is like a weary muscle; both are sluggish. Hence for the capture of food and for escape from enemies the warmer animal has the advantage. Yet this change cannot go on without limit. For there is a temperature at which the chemical composition of the albumens begins to alter, and, at a point a little beyond this, muscle loses its contractile power, and the fatal phenomenon of heat rigour comes on. The hearts of some cold-blooded animals cease to beat when heated to 30° C., but in general the heart's action increases up to about 40°. (Stirling, *Pract. Physio.*, p. 222.) It then begins to decline, ceasing altogether at about 45°. The results of different observations vary somewhat. Rosenthal places the maximum of efficiency at 45°. But Michael Foster, following the general verdict, places it a little above 35°, with a very slow decline until at 45° a frog's muscles become rigid with heat, while the mammalian muscle suffers the heat rigour only at 50°. Kirke, in his *Physiology*, states that all trace of excitability in muscle is lost at 65° C. But of course the death of the animal occurs long before its muscles become so warm as that.

There is, therefore, a very definite limit at which the heating process must stop, and the animal mechanism will be efficient in proportion as it can safely approach that high

temperature at which muscle is most active. But the nearer it approaches, the greater is the danger that accidental variations will carry it beyond the fatal limit. Man averages about 37°, and that comparatively high temperature gives him his activity, his zest for life; but if a warm day or a piece of violent exertion, or some other accident, were able to raise him to 43°, death would occur. Indeed a rise of 2° C. is serious, and one of 4° most dangerous, while there is, I understand, no case on record of recovery after a rise of 6° C.

Temperature-Control of the Sympathetic System.

The warm-blooded animals are, therefore, not free to extend their advantage without limit, and if they had no controlling power which should act as a governor to the system, keeping its temperature steady, they would infallibly perish from the earth. That controlling power is found in the vaso-motor department of the sympathetic system, one of whose functions it is to regulate the flow of blood to all the various parts of the body. The maiden who comes in flushed from her game of lawn-tennis is being cooled by the free flow of blood through the skin, so that it may lose its excess of heat by proximity to the air. The same young lady, after sitting a whole day sewing, looks pale, because, by her want of exercise, she has failed to produce enough of heat, and her body conserves all she has by keeping the blood in the deeper seated parts and losing as little as possible at the surface. All this process is under the automatic control of the vaso-motor department of the sympathetic system, and it is due to the developing intricacy and delicacy of this most elaborate ramification not only that animals are warm-blooded, but also that they can be so without danger of collapse. When the standard warmth is exceeded, when the temperature rises beyond the limit of safety, the vaso-motors open the small arteries which curl around the sweat-glands;—perspiration pours forth, heat is thus expended; and, in the subsequent evaporation of that perspiration, further cooling takes place. Then, whenever a chill touches the fine nerves of the sweat-glands, all the pores

close up, the arteries contract, the blood forsakes the surface, its heat is conserved; for skin is a bad conductor, and so by an automatic process the temperature is kept constant near the point of maximum activity with no risk of its rising to a fatal extent.

But besides this damper process, there is another analogous to stoking; and this, too, would seem to be under the control of the sympathetic. When the air around the animal becomes cold, the nerves of skin and lungs apparently transmit to the vaso-motor centre a stimulus which increases the body activity, and so generates augmented heat. Mr. M. S. Pembery (*Journ. of Physiol.*, 1894, p. 407) has shown that a mouse enclosed in an apparatus which can register the elimination of carbonic dioxide, automatically increases its vital activities with cold, and diminishes them with heat. A rise from 18° to 34° decreased the chemical changes of the body 20 per cent. within two minutes; a fall from 30° to 18° in a few minutes increased these changes 74 per cent. But with longer intervals and slower alterations of temperature the change was much greater. A fall from 32·5° to 11° in half an hour increased the chemical activity 211 per cent., the animal helping to provide its own warmth by its restlessness.

That the warm-blooded animals slowly developed this capacity of heat regulation seems clear from two lines of reasoning, the first being that the higher an animal is in the scale the more perfect is its heat adjustment; the second that young animals, which as a corollary from Von Baer's law are reminiscent in some degree of the forms from which the species sprang, are all less capable than mature individuals of resisting external changes of temperature.

In regard to the first point, the most elaborate observations are those of Rosenthal (*Biologische Centralblatt*, 1889, p. 763), who has shown that a dog, enclosed in an apparatus for registering its total heat production, can, after four days of starvation, still maintain himself at his normal level; only on the fifth and sixth days does a small decline become visible, but not till the seventh is there any notable decline. Far otherwise is it with the rabbit. In a day of starvation, its heat production fell off 50 per cent. Similar though by

no means exhaustive observations lend a fair amount of assurance to the conclusion that the higher mammals are by far the most efficient in maintaining a characteristic temperature. I have seen marsupials in excellent health exhibit a daily range of nearly 4° C. I have seen a pair which generally gave the same record, when one was kept for a morning in the shade and the other in the sun, give records 3·5° C. apart. Almost any marsupial after being laid ten minutes in a bright sun will rise half a degree in temperature.

In regard to the young of all warm-blooded animals, we find that they are practically cold-blooded in their nature. Mr. M. S. Pembery has shown (*Brit. Assoc.*, Aug., 1894) that the developing chick reacts to heat precisely like a cold-blooded animal. Heat increased, but cold decreased its output of carbonic dioxide. After being hatched, however, it rapidly acquired the warm-blooded reaction, heat diminishing, cold increasing the carbonic dioxide output. Similar observations made on newly hatched pigeons showed that their utter helplessness at birth was connected with the same reptile-like incapacity; they are practically cold-blooded animals, but are kept warm by heat derived from the parent's body.

So also the experiments of Dr. W. Hale White (*Journ. of Anat. and Phys.*, xxv., p. 377) show that puppies at birth are practically cold-blooded; that is, they have no power of maintaining their own characteristic heat, but must be kept warm from without. When the newly born animals are just removed from their mother, they are found to be about 37° C.; but they immediately begin to fall at the rate of half a degree in each interval of ten minutes, just as lizards do, though not so fast, when transferred from a warm place to a cold. The total fall in the case of puppies was found to be 18° in four hours, after which they and the air stood at the same temperature. Similar results were observed in the case of new-born kittens, rabbits, rats, guinea-pigs and sparrows, and we know from other sources that the lower the animal in the scale the more rapid is its fall under these circumstances, but the less likely to be fatal.

The human baby, for instance, falls least rapidly, but the fall is peculiarly injurious. Yet even in it the rule is per-

ceptible that time must elapse before it acquires the power of generating its own heat. In almost every climate the babe requires to be warmly wrapped and to receive the body heat of mother or nurse. For some days it averages only 34·7°, a temperature that would rapidly prove fatal to an adult. The more premature its birth, the lower the temperature at which it can subsist, and the less its power of maintaining heat. A seven months' babe averages no more than 32° even when well wrapped up, and that is a temperature so low that the same child if equally cold at any subsequent part of its life would inevitably perish.

As the young are reminiscent of the development stages of the species, it is no rash hypothesis, therefore, to assume that the cold-blooded animals steadily acquired the power of maintaining a high temperature, approaching as nearly as was safe to the limit where heat destroys the chemical efficiency of muscle. Moreover, as we see how intimately the warmth of the parent comes to be associated with the survival of the offspring, it is not too much to assume that it was in the maternal period that animals first learnt to keep themselves warm.

The birds stand at the highest heat level for two reasons. First, because the brooding process means a loss of efficiency in heating the egg as compared with that of the animal which keeps its embryo within it. I find that hens while brooding average for their internal temperature 41·44°, while their eggs when broken show an internal temperature of only 39°, and it seems very plain that if the eggs are to be kept at the temperature of maximum brooding efficiency, the bird itself must be somewhat higher. It is remarkable that the average temperature at which birds keep their eggs, about 39°, is very nearly the average temperature of the higher mammals, which according to Davy's lists is about 38·8°, while according to Max Fürbringer it is a trifle under 39·1°.

Davy finds for birds a temperature of 42° C. as the average of twenty-five observations on sixteen different species. I have myself as the average of sixty-one observations on eight species found a temperature of 41·2°. Unless for short periods

after being chased, I have never seen a bird above 43°. This warm condition, the highest to be found in animals, is no doubt essential to the life of birds. The huge energy required for flight, even if all allowances be made for instinctive adaptations to wind currents, must demand a high combustion rate. The man who could spread out his arms with wings attached, and at a few strokes spring up into air, would require a huge increase of energy. An average labouring man's ordinary exertion would be sufficient to lift him from six or seven inches every second. (Calculated from Waller, p. 338.) I find by frequent experiments on a hill behind my house that I can ascend 1000 feet in twenty minutes, or at the rate of about ten inches a second. An athlete can for a short time raise himself thirty inches per second. But a bird will leap up into the air ten to fifteen *feet* in a second; and maintain itself there for hours. This prodigious energy no doubt is connected with its great consumption of food, and the high temperature at which its system is at work. Hence comes the general restlessness of the class as a whole; the metabolism of their bodies is on a scale suitable for the great demands of the flying period, but it goes on at all times, and the incessant hopping, fluttering, singing and feverish activity of the bird is the mere liberation of energy developed in excess of requirements. All this looks to us like happiness, and though it may be doubtful whether the canary is enjoying itself more in its restlessness than the cat in its cosy nap by the fire, yet it seems to us that woods and fields are rendered gay and sprightly and full of joyous emotions by the super-abundant vigour of the feathered tribes.

Warm Blood and Emotions.

The theory of the emotions which has been suggested in this chapter will connect them closely with this condition of warm blood and great activity. In mammal and bird the high temperature of the blood is associated with a great production of energy which is not employed as fast as it is produced, but is partly stored up to be used when wanted.

An emotional animal is one in which these stores are most readily and most efficiently released or inhibited by the action of external stimuli; in which the sight of enemy, or cry of young, or caress of mate will release the stored up energy for fury or parental tenderness or amatory passion.

The nerves under whose control all such action occurs are clearly the sympathetic, whose earliest growth took place undoubtedly for the purpose of adjusting the blood circulation; then, as a later development, for the regulation of the temperature; and, if this be true, we ought to find that just as the development of the cerebro-spinal system was concomitant with the growth of the intellectual faculties, so would the development of the sympathetic system be concomitant with the growth of emotional capacity. These two correlated pairs show a general tendency to develop together; but Buckle fails in his attempt to found the moral progress of mankind on their intellectual progress precisely for this reason, that morality springs from emotional susceptibilities which find their physiological basis in one set of nerves, while intelligence is physiologically connected with another set. Now there is in general a certain parallelism between the growth of these two departments of our nervous structure. As a rule, the more intelligent man will also be the more deeply capable of emotion, but there is no necessary proportion between them. A singularly clever man may be a heartless fellow, while a man of small intellectual gifts may be so richly endowed with emotional capacity that he wields as much influence by his personality as the other by his brains.

In the cold-blooded animals those large abdominal ganglia which form so important a part in the higher type are generally absent. I have seen them very plainly in porcupine fish (*Diodon maculatus*), in all frogs and many lizards, but in general the words of Gaskell are true (*Journ. of Phys.*, vii., p. 55), that in fish and reptiles these are either "absent or inconspicuous". In the warm-blooded animals, which most probably sprang from early amphibian types, these ganglia become increasingly notable. It is true that just as in the case of the brain it is impossible to set them forth in a scale of ascending magnitude, for the smaller the animal the more

disproportionally large is the size of brain, and also of the sympathetic masses, the semi-lunar ganglion for instance. I dissected out this ganglion as well as the brains from twenty-two mammals, representing fourteen different orders, and the result showed, as far as mere weight would indicate, quite as steady a progression for the sympathetic plexus as for the brain. Thus a monotreme of ten pounds weight will have ·0067 of its total body weight in its brain, and ·00006 in its two semi-lunar ganglia; a marsupial of fifteen pounds will on the average have ·0027 in brain and ·00008 in semi-lunar ganglia. A sheep of 115 pounds will have ·0036 in brain and ·00006 in ganglia; a rabbit of two and a half pounds weight had ·007 in brain and ·00014 in ganglia. A very intelligent English terrier of sixteen and a quarter pounds weight had ·0066 in brain and ·00016 in ganglia; a fox of eight and three-quarter pounds had ·011 of body weight in brain and ·0002 in ganglia. A cat of six and a half pounds had ·008 of its body weight in brain and ·00015 in ganglia. Here it is apparent that adjustments for weight must play an important part in comparisons. The dog has a brain twice as large in proportion as the dull sheep; but its brain is not relatively as large as that of the still duller rabbit. Eugen Dubois has related all the attempts made during the present century to determine the nature of the relation between size of brain and weight of body, and has sketched an interesting theory of his own. (*Archiv. für Anthropologie*, vol. xxv.) But without further work in this direction comparisons cannot be made.

In much the same way unknown adjustments have to be made for the weight of the ganglion, and by inference for that of the whole of the abdominal plexus, but if that could properly be done a gradually ascending scale would probably be seen, wherein the more emotional animals are, so far as my experience goes, always more richly endowed in this respect. After six or seven years of frequent experience in dissecting out the sympathetic system in the lower animals, I well remember the surprise I felt in seeing for the first time that system dissected out in the human body. Its size and complexity of development were so much greater than I had

anticipated. The semi-lunar ganglia in man were weighed for me by Professor Allen, of the Melbourne University Medical School. Each amounted on the average to thirty-two grains (2·3 grams), which, so far as my experience goes, is much greater than in a 600-pound bullock. But any cogent comparison is rendered impossible until we have some means of eliminating the disproportionately altered relation which is due always to lessened body mass. We can at present compare only animals of the same weight in different orders, and in that case it can be asserted that the more emotional species have the larger semi-lunar ganglia.

But the semi-lunar ganglia have been weighed only as the largest samples of the solar plexus, and the solar plexus is only the largest of half a dozen plexuses, and all the plexuses put together are only the most visible part of that great sympathetic ramification which keeps pace with them in increasing size and intricacy as we ascend in the animal scale.

It is easy to understand then, that when animals had secured the advantage of the warm-blooded condition, with its additional activity and fuller life-history, the sympathetic system, which presided over that growth, would become more and more delicately equipped for the work. By means of its vaso-motors it would not only become—as indeed we see it has become—more and more efficient in maintaining an even temperature, but it would acquire the faculty of throwing, as we know it does, fuller streams of blood, with their accompanying heat, into those parts of the body that require them; into the mammæ of the suckling mother; into the penis of the amorous male; into the muscles of the individual face to face with an enemy; into the salivary glands when hunger smelt a dainty morsel; into the peptic glands of the stomach when a full meal had been eaten, and when, in consequence of the relaxed condition of all the surface muscles, the emotional state of the animal became that of restful contentment.

It is well known how completely the flow of blood to each part of the body and its consequent temperature are under the control of the sympathetic. The often-repeated experiments of Claude Bernard (*Comptes Rendus*, 1852, p.

472) showed that section of one of the sympathetics in the neck of a rabbit was followed by an immediate reddening of the ear on that side, and a very decided rise of temperature there. Budge (*Comptes Rendus*, 1853, p. 378) showed that when a portion of the cervical sympathetics is cut away, the arteries of the head swell, and the heat of the face rises 4° or even 5° C. Waller (*Comptes Rendus*, 1853, p. 379) showed the converse effects. A galvanic current sent through the same nerves caused the ears to grow pale by reason of the constriction of all the arteries of the head. In the conclusion of this memorable paper of Waller's, it was shown that the erection of the penis in amatory emotion, the turgescence of the mammæ in maternal emotion, the activity of the mucous membrane of the intestinal canal are all effects of the sympathetic system.

Meanwhile, in 1853, Brown-Séquard (*Physiology of the Central Nervous System*, p. 142) showed that any stimulation of the cervical sympathetics will cause "the blood-vessels to contract, the quantity of blood to diminish and the temperature to decline". These changes cause the diameters of the arteries to vary, so that at their widest they are three times as wide as when most contracted; consequently nine times as much blood will flow in the relaxed as in the constricted condition. As for the human subject, Donders and Callenfels in 1855, Roux in 1856, showed that in man the influence of the sympathetics is even greater than in dogs or rabbits. Claude Bernard in 1862 proved conclusively that vascular and calorific phenomena occur in general without cerebral intervention, and solely by a reflex action peculiar to the sympathetic. Since that time it has been shown that there is an area about a tenth of an inch long, and of half that width in the *medulla oblongata*, or bulb of the spine, wherein chiefly resides the power of co-ordinating these local actions. This, too, is automatic, and if in a certain sense it belongs to the sympathetic system, it is nevertheless also a part of the cerebro-spinal system, whose sense stimuli are thereby enabled to affect instantly the circulation; a sight or sound can in a fraction of a second give a shock to that centre in the medulla which controls the circulation.

Direct Action of the Sympathetic System on Emotions.

Stimulation of the sympathetics in an animal quiet under the influence of chloroform will produce all the signs of emotion. For instance, if we excite those pilo-motor nerves which actuate the numerous tiny muscles attached each to its own spine or bristle or feather, and which are now known to be branches of the sympathetic, we may reproduce all the external indications of fear or of antagonism. J. N. Langley has shown (*Phil. Trans.*, 1892, B., p. 97) that these nerves spring from the thoracic ganglia, and are true sympathetic fibres. Extreme fear we know makes these all act so as to erect the hair, the bristles, the spines, the feathers. The creeping sense which fear produces in our own scalps is due to the movement of now useless *arrectores pili* muscles which once no doubt raised the hair of our progenitors. Darwin has shown how almost all reptiles and birds, but especially all mammals, raise the spines, feathers, or hair in fear. (*Expression of Emotions*, p. 100.) In a chloroformed animal, a galvanic current sent into the proper sympathetic ganglion will make the bristles of a dog, the spines of a hedgehog, or the feathers of a bird stand on end. The pilo-motors which proceed to the head have their origin, as Langley has shown (*Journ. of Phys.*, 1894, p. 185), in the three higher cervical ganglia, and these, but more especially the stellate ganglion, the lowest of the three, are particularly susceptible to stimuli. When these are affected, the hair of the face and neck is erected. In the case of man, this local action of the sympathetics of the head is now chiefly seen in the emotion of shame, the blush of which very rarely extends below the shoulders, the stimulus apparently affecting only the three ganglia that are nearest the brain.

These nerves operate automatically without the intervention of any mental activity. If one steals upon a sleeping echidna basking in a sunny space of the forest, and drops a little stone upon him, absolutely on the instant the quills are up and the feet have plunged into the ground. If, as is very likely, he has already partly excavated a hole, not only do

spines stick out for his defence, but in the same fraction of a second others stick into the ground obliquely upwards so as to make the animal fast.

Mr. Douglas Spalding (quoted Morgan's *Animal Life and Intelligence*, p. 395) says: "A young turkey which I had adopted when chirping within the uncracked shell was on the morning of the tenth day of its life eating a comfortable breakfast from my hand, when a young hawk in a cupboard just beside us gave a shrill 'chip, chip'. Like an arrow the poor turkey shot to the other side of the room and stood there motionless and dumb with fear, until the hawk gave a second cry, when it darted out at the open door to the extreme end of the passage, and there crouched silent in a corner for ten minutes." It is, of course, useless to regard this as a case in which the mental emotion of fear affected the body. The turkey had never had any experience of hawks' cries nor of danger. A certain stimulus affected its bodily condition, and that bodily condition was the anterior side of the emotion of fear. So in regard to anger. When Mr. Spalding, after fondling his dog, put his hand into a basket with four blind kittens, they puffed and spat with anger in a manner never seen when his hands were untainted with the scent of the hated dog. Here again the action of mind is inadmissible.

Vascular Conditions in Amatory Emotion.

As final illustrations of this physiological origin of the emotions let us take the amatory and maternal feelings. The amatory emotion is impossible before the period of puberty, when by a readjustment of blood-supply the testes grow and the ovaries expand. Along with this primary change all manner of secondary changes occur, each of them, however, arising from alterations of vascular condition. That these are solely due to influences of the sympathetic is to be concluded from a variety of experiments. Dogs, whether male or female, in which the generative organs have been entirely deprived of any direct connection with the cerebro-spinal system, are capable of the whole process of reproduction. (Foster,

bk. iv., ch. i.) When the sympathetic ganglia are removed from the neck of rooster or turkey-cock, all the brilliant display of crests or wattles is arrested. (Carpenter's *Physiology*, p. 856.)

A very great derangement of the general vascular tone is seen at the breeding season. The bell-bird (*Chasmarynchus*) has all the blood-vessels of its head so turgid that the wattles rise into horns of flesh two inches high; the hornbills and most of the pheasants show the same strong vaso-motor effects. The whole system is in a state of tension ready for explosion at a touch. The male perceives a female, or hears her voice; it is like a match applied to the barrel of gunpowder. All the stored up energy is released, the animal is full of animation, whether to fight a rival or to win a mate. A further excitation acts on the *nervi erigentes*, or, as Gaskell prefers to call these branches of the sympathetic, the pelvic splanchnics, in exactly the same way as would a galvanic current when applied to their peripheral ends. An immediate change of vascular tone occurs; the blood-vessels swell, and the whole organ becomes rigid and its sensitiveness immensely increased. The augmented flow of blood implies a rise of temperature sometimes amounting, as I have shown, to three or four degrees centigrade.

Meanwhile the female is also by the season made inflammatory; the caresses of the male stimulate the hypogastric branches of the sympathetic. (Basch and Hofmann.) The uterus becomes turgescent; it descends and opens its mouth. In all this series of phenomena, bodily states are reported to consciousness as emotional states; the whole finding its immediate origin in the state of explosive energy then existent among the nerve plexuses of the pelvic region, this being perhaps only a local exaggeration of a general seasonal activity of the whole sympathetic system.

This connection is, for general observation, most easily seen in those baboons and monkeys which have callosities upon their hinder parts. As the season approaches, not only do the sexual organs swell and redden, but the callosities become of the most brilliant colours. (Brehm, *Saügetiere*, i., 169; Hartmann, *Anthropoid Apes*, p. 191.) In a little paper

of Darwin's (*Nature*, xv., p. 18), there is a description of the manner in which all species that have these decorations turn them towards the other sex. When a female thus uses this striking attraction, it has an immediate and rousing effect upon the males. The eagerness at that time and the indifference which ensues upon gratification are emotional states arising out of the altering conditions of vascular tone.

Vascular Conditions in Maternal Emotions.

Not less marked is the need of vascular changes to produce the more obvious maternal emotions. Women describe the strange and tender flow of emotion which accompanies the first sucking of the new-born babe at the breast. For months before, the vascular tone of the body has been adapted so as to send large volumes of blood to the womb, whose blood-vessels are relaxed (Lee, *Phil. Trans.*, 1842), while all means of nutrition to its walls are increased. The mammæ in a lesser degree have shared in changes brought about probably by reflex action of the sympathetic. (Michael Foster, iv., 2.) After the birth of the babe, these relaxed vessels of the womb may wholly or in part contract. But the sight of the babe, or better still, the touch of its lips at the mother's breast, acts like an automatic commutator. The vaso-motor stimulus shuts off the supply of blood from the womb, and diverts it instead to the breasts, which thereupon commence in earnest their secretion of milk. There is no period in the life of any animal in which the whole system experiences so great a degree of exaltation, at once so tender, so actively caressing, yet so capable of furious resentment. The whole system seems peculiarly sensitive to stimuli. Watch the eye of the newly littered cat or dog; what a degree of emotionalism appears as you pat it; concern if you touch its offspring, gratitude if you caress them; fierceness if you threaten them. The whole frame of the mother responds to the slightest touch. Darwin tells of a female terrier he possessed which had "lately had her puppies destroyed. Though at all times a very affectionate creature, I was much struck," he says, "with

the manner in which she then tried to satisfy her instinctive maternal love by expending it on me, and her desire to lick my hands rose to an insatiable passion." (*Exp. of Emotions*, p. 126.)

It is preposterous to pretend, as some have done, that the maternal concern is only the selfish desire of the mother to rid her mammæ of the superabundant milk pressure. The truth rather is that the preservation of the young has for countless generations depended on a complex series of actions of the mother, in which not only the suckling, but also the warmth and defence and training of the animal have been prominent features; consequently she has acquired, as an advantageous endowment, the capacity of having her nerves so stimulated by sense excitations as to stir her up to the appropriate action.

The species most susceptible to these bodily stimuli will be the best able to avail itself of the enormous advantage to be found in parental care and self-sacrifice; and it is out of this parental sympathy that sympathy in general has been developed.

When the blood is felt to bound freely through all our body but especially through the arteries of our brains, that bodily state affects our consciousness as an emotion of the exalting class. Then quick thought, hurried words, vigorous gesture are the result of strong bodily excitement. But if our blood creeps in trickles at a high pressure, yet with obstructed flow, through contracted arteries, and especially through constricted arteries of the brain, our thoughts are more sluggish; our words few and languid, our limbs weary, and the whole system dejected. The anæmic brain reports itself in consciousness, and we are aware of a depressing emotion. Though there is less blood in the brain, it forces itself through the narrow vessels at an exaggerated pressure; headache and general discomfort may ensue.

These emotions are the true motives of safety to the animal. Just as it never reasons out the necessity of food to support its life, but eats by impulse of the feeling of hunger; so it never reasons out the danger it incurs at the sight of one animal or the succulence of the meat which

another would afford. In the process of development the animal has acquired the power of adopting the appropriate vascular state in response to any particular stimulus of sight or sound. It acts as the state of its body impels it to act, and it is conscious of its bodily condition as an emotion either stirring it to action, or calming it down to passive unobtrusiveness.

NOTE.—In spite of repeated rewriting, this chapter retains an inherent digressiveness which must, I fear, make it difficult for the reader to follow the general argument. I shall therefore set it down here succinctly.

1. Warmth materially diminishes the time of hatching.
2. This being advantageous, viviparous and incubating species developed a tendency to become warm-blooded.
3. But warmth beyond a certain degree is fatal. Hence the mechanism of the vaso-motors, at first intended to regulate only blood flow, became adapted to regulate temperatures.
4. But the warm-blooded type is the active type, and the more it became filled with energy, the more beneficial it was to have a means of automatically concentrating that energy and explosively expending it. This means was vaso-motor dilatation and it gave rise to exalting emotions.
5. Equally efficacious was the capacity of reducing and suppressing energy in face of danger. Hence vaso-motor constriction.
6. All emotions are thus on their bodily side changes in vascular tone.

CHAPTER XXIII.

THE NATURE OF THE EMOTIONS.

Bodily Condition and Emotional Capacity.

I HAVE sought to show that our emotions are the effects upon consciousness of altered rates and conditions of flow in those currents of life that ceaselessly course through our bodies. It seems a reasonable view, yet it is nowhere accepted; that theory being still current which regards an emotion as a change of condition always initiated in an immaterial entity called the mind, but spreading thence so as to affect the body. This, if true, would be a manifest violation of the great law of the conservation of energy. Yet it is a view implied throughout the whole of such a well-known book as Tuke's *Influence of Mind on Body*. Even so great a thinker as Herbert Spencer seems to subscribe to this scarcely defensible idea. Sometimes, it is true, his words would lead us naturally to something wholly inconsistent. He tells us, for instance (*Psychology*, i., 193), that the mind is that which is "composed of feelings and the relations between feelings," and then he proceeds to classify feelings as being either sensations or emotions; the logical sequence of which would be that as sensations are bodily states producing alterations of consciousness, so also must emotions arise from bodily conditions which enter into consciousness in analogous fashion. Yet when he speaks of "the disturbance of certain viscera which powerful emotions produce" (*Psychology*, i., 253), he seems from the context to regard an emotion as something proceeding downward from consciousness so as to affect the bodily system; a matter also clearly shown in such an expression as this: "the feelings classed as emotions which are

not localisable in the bodily framework". (*Data of Ethics*, p. 78.) If there were the least doubt about it, an expression of this latter work (p. 104) would set it at rest. He tells us that "by composition of the feelings and ideas of the feelings, emotion arises," or, in other words, emotions arise solely in the domain of mind.

In precisely the same way Prof. Bain, in his *Mental and Moral Science*, descends from the emotions of the mind to their supposed effect upon the body, the energy which influences the organs being unreasonably supposed to spring from an incorporeal something. On p. 226 he tells us that "sensations and their ideas may coalesce to form new feelings or emotions," a loose way of imagining that emotions are but abstract changes in an abstract entity.

On the contrary, it ought to be clear that it is the body which produces emotional states in the mind. When a man has the toothache it is the deranged condition of his nerves and consequent derangement of his vascular tone which make his mind restless and irritable. When a hungry man, full of impatience and ready for anger, has eaten well, the emotional change to content and peaceful good-humour is only the altered attitude which the mind has acquired from an altered vascular tone of the body. That blood which was formerly maintaining a restlessly stimulating flow in the outer muscles is now congregated in the viscera for purposes of digestion. So does it come that the man is emotionally changed.

Suppose that I climb to the top of a tall mast or steeple, how shall I know whether I am afraid or not when I look down? If my pulse continues calm, and my body unaffected, I am certainly unacquainted with fear; but when I feel my heart beat faster and more feebly, when, in consequence, a dizziness and sickness oppress me, and my skin grows pallid and chill, then, and then only, must I confess to a feeling of fear. See the hunted rebel pulled out from his hiding-place; he stands up firmly on his legs, looks his captors in the face, and speaks with unfaltering voice. He knows his doom, but his body is not demoralised, and in consequence his mind is full of fortitude. He can say with Louis XVI. when the mob surrounded him, "Am I afraid? Feel my pulse." But look

at another victim so dragged forth, vainly set up on trembling legs, his chest collapsed, his face pallid, his eyes starting forward, tears streaming down his cheeks, while his lips and tongue are parched, his organs of excretion desperately strained to act, his larynx constricted so that every breath is a moan, it would be folly for such a man to say he is not afraid; these bodily conditions are fear on its physical side, and his mind must in consequence be affected by the emotion of fear.

Darwin in one passage (*Expr. of Emotions*, p. 250) tells us that "till a man's bodily frame is affected" he cannot be said to be angry or afraid; but elsewhere throughout this and his other books an emotion is regarded as a mental state which expresses itself by bodily changes. Lloyd Morgan (*Animal Life and Intelligence*, p. 385) similarly grazes the more reasonable view, and then glides off to deal with emotions as phenomena of the mind alone, but rendered visible by the action of mind upon body.

It is hopeless, I think, for this view to contend against three classes of facts, which are in themselves incontestable, and before I proceed to analyse more minutely the nature of the emotions, I shall discuss these three lines of argument: first, that drawn from the emotional changes produced by drugs; second, that arising from emotional changes produced by pathological conditions of nerves; and third, the argument from emotions that originate with bodily changes due to age. If a drug can make a man angry it must be by affecting his body, and so by that means producing an emotion in his mind. It is impossible that the drug can directly affect his mind which then acts upon his body. So also, if a morbid knob on a sympathetic trunk nerve can derange or partly derange a man's circulation, and thereby render him morose and sulky, or irritable and argumentative, it must be plain that it is the bodily state which makes the emotion and not the emotion which produces the bodily state. So also, if with advancing years as the body passes through successive stages, the individual exhibits in consequence marked sequences of emotional changes, we are bound to trace these emotions to a bodily source. The girl at ten, as bodily

changes develop, passes to the girl at fourteen with very different emotional capacities in regard to modesty, and the attractiveness of the other sex. Griesinger declares (*Mental Pathology*, p. 200) that at the period when puberty arrives the girl is often unusually sensitive, and nervous, or even peevish, and that in easily deranged temperaments this period often passes into a capricious melancholy, or sentimental emotionalism.

A little later in her life the girl has a whole world of emotional experiences awaiting her. Her mind is no doubt changed, but that is due to many bodily changes. She suffers much distress and pain if she finds herself unattractive; but enjoys keenly the emotions of gaiety, and triumph in the perception of masculine admiration; she finds her mind the sporting ground of many conflicting feelings of coquetry, and envy, and jealousy: for, in spite of her own worthier intelligence, she perceives that she is rendered liable to these emotions by men's homage according as it is bestowed on her or on others, though she knows that but a year or two ago, no such motives could have exalted or embittered her mind. Then in the midst of this emotional ripening comes the dominance of love's overpowering passion; she is prepared to cast aside all that had until then been held dear; to leave her parents, and abandon her chosen pursuits, her home and her kindred. Then is her heart tuned on the one hand to the sweetest emotions of which our nature is capable, but on the other, at a touch, it may swing round to dark passions, jealousy, anger, and hate, linked with dire unhappiness.

All these days of the more restless emotions happily passed, she is duly wed, and for a while an exaltation possesses her; this earth, dull and heavy enough to crowds of its dwellers, is to her as light and filmy as the enchanted palace of an opiate vision. But with the bodily changes, that herald the coming of her babe, she passes through new emotional stages. Bodily derangements produce each its own characteristic changes. Dr. Thorburn mentions as the results of vasomotor readjustments at that period, the troubles of dyspepsia, salivation, insomnia, neuralgia, and so on, these being all more or less accompanied by resulting emotional conditions.

(*Diseases of Women.*) According to those popular books called *Ladies' Manuals*, this is a time when there is grave tendency to melancholy, to irritability and hysteria, whilst the individual is herself painfully conscious that there is no reason in the relationships of her life why these emotions, along with languor, anxiety, and vague longings, should possess her mind. Griesinger asserts (p. 202) that if a woman, who already is inclined to a state of emotional insanity, becomes pregnant while in that state, she most commonly is thereby rendered incurable.

But to follow the case of the healthy woman, her baby is born; and with the altering tide of blood flow in her body she becomes keenly susceptible to new stimuli, the touch of the little hands upon her breast, the sound of its cry, the look of its face as it slumbers in her arms, all find her system explosive, ready to burst out in kisses, nods, smiles, rocking, cuddling, tossing, sports of every sort, with singing and senseless talk; yet she is ready at a depreciatory remark to fire up, or at a threat of danger to face the snarl of a tiger. The primary joys of motherhood, which in the period of suckling she shares with the lower animals, pass later on into the secondary and more purely sympathetic joys of her later maternal cares. But before and after the birth of each child she experiences the same cycle of emotional changes.

Now her emotions, if not due to the body, would be presumably the same throughout; the transition of her emotions is therefore due to bodily alterations. So long as she still is capable of motherhood she keeps her sense of triumph in the power of her personal charms; but when advancing years have brought with them new arrangements of the system, these more active emotions die out, and others more placid take their place, in keeping with her older and less energetic frame. All along she may discover that in every stage of her life the bodily state has made the necessary preparation for emotion, but that in general some external stimulus has been its ultimate and easily visible cause.

Emotional Effect of Drugs.

All drugs which influence the vaso-motor nerves and thereby alter the blood flow of the body produce emotional changes; conversely, though this is not quite so certain in a few cases, no drug produces emotional changes which does not affect the vascular tone. Alcohol, tobacco, tea, coffee, Indian hemp, belladonna, cocain, digitalis and probably also opium, all affect the emotions by their action on the blood circulation.

Taking alcohol first, as a drug whose action is the most widely known, we observe that its earliest effect, as is now well understood, is to partially paralyse the vaso-constrictor nerve centres so as to permit the blood-vessels to expand, especially those on the surface of the body and in the brain. (Carpenter's *Physiology*, ninth edition, p. 108.) Lauder Brunton gives the following graphic study of the physiological effects of alcohol (*Disorders of Digestion*, p. 153): "If we look at our own hands or those of our neighbours before going in to a public dinner, especially if the ante-room is cold, we may find them somewhat pinched-looking; the colour somewhat dusky and distributed in patches instead of being uniform; the veins are thin and the circulation languid. After a few glasses of wine, however, their appearance begins to change. The hands assume a uniform rosy tint, showing that the capillaries are now dilated and filled with bright red arterial blood. They lose their shrunken aspect; little wrinkles in the skin disappear; rings previously loose become almost too tight. This dilatation of the vessels so readily seen in the hands is not confined to them, but occurs generally throughout the body. The warm blood pouring from the interior of the chest and abdomen over the surface of the body imparts to it a pleasing glow; the face shares the general flush, and the pulsation of the temporal arteries not infrequently becomes easily visible."

This altered condition of vascular tone gives rise to changes of emotional state. The first of these, as Lauder Brunton says, is a "most agreeable feeling of comfort pervading the whole frame". The flow of blood in all sensitive parts is full and unrestricted; there is an emotional glow, a sense of joyousness

and lightness of spirit. But let the dinner proceed, let the wine reach a fourth or fifth glass, then the face grows red, the blood-vessels are over-distended, the whole system becomes morbidly energetic. The voice is loud, the temper becomes quick and argumentative, perhaps even quarrelsome. It is difficult for a man in that state to be cautious, for caution implies that the vascular tone is shut down. A half-tipsy man will climb to dangerous places, will disclose secrets or make rash assertions, or otherwise betray an emotional condition in which the usual influence of fear is absent.

There is a point, however, at which the maximum dilatation of the vessels takes place. Dr. Parkes (*Proc. Royal Soc.*, 1874, p. 182) has shown by careful observations of British soldiers during a campaign, that this point is usually reached about three hours after the use of the alcohol. There is no general rise of temperature though the surface heat is increased. The heart's action is quickened by five to ten beats a minute. Then the constriction of the blood-vessels begins to take place, as a matter of reaction. The face grows pallid, the blood gathers in the viscera, perspiration breaks forth. There is now a complete revulsion of emotional tone; the drinker weeps, and shakes his neighbour mournfully by the hand; from his grief-laden breast come protestations of endless friendship; or he feels sure he is soon to die, and he delivers his last messages to be conveyed to absent comrades.

Ziemssen says (*Cycl. of Medicine*, xvii., p. 385) that "the nerve centres to which alcohol has access have their functions stimulated at first, but then their activity is gradually more or less perfectly abolished for the time. There is reddening of skin and sinking of blood pressure; the face and eyes grow flushed, the pupils are contracted, the pulse beats more forcibly and the skin is often bathed in sweat." All the passions then press to the front; love, hatred, revenge, lend their changing colour. (*Cycl. of Medicine*, xvii., p. 393.) As De Quincey tells us: "Wine gives a preternatural brightness, and a vivid exaltation to the contempts, the admirations, the loves and hatreds of the drinker". (*Confessions of an Opium-eater.*) In short, all the exalting emotions accompany the relaxed conditions of the blood-vessel in the first

hour or two, and when the reaction has set in, all the depressing emotions accompany the constricted vascular tone. The argument from alcohol is, therefore, as complete as physiology can make it.

The argument from one drug is a sample of that from all, yet I shall briefly describe the effects of one or two others. Tobacco acts on the sympathetics in a mild way just as alcohol does: the pupils of the eyes are relaxed, the blood-vessels dilate slightly, and in consequence a generally soothing experience ensues. Not a joyous or combative feeling, for apparently the nerve effects are not nearly strong enough for these emotions, but there seems to be a slightly easier flow of blood; the channels are broader and the life stream has fewer frets in its course. When grief and worry have unduly constricted the blood-vessels this may easily enough be a beneficial effect. But excessive smoking makes the heart's action irregular (Waller, *Physiology*, p. 82), and a man will, as it seems from American experiments, do a less sum total of work when he smokes than when he abstains from it.

Very similar is the effect of tea. When taken cold it acts directly on the vaso-motor system, relaxing the blood-vessels; taken warm there is the added effect of the soothing glow, still further relaxing these vessels while quickening the heart. These bodily changes have a magical effect upon the emotions, turning depression into cheerfulness and languor into zest.

So, too, with coffee; let a man wake in the morning inclined to be taciturn and depressed. Give him a hot cup of coffee, and watch the speedy change in his emotional tone. But it is of course to be remembered that all artificial stimulants carry their own nemesis in the way of reaction, and with excess there comes an ultimate partial demoralisation of the nerves affected.

Emotional changes occur in consequence of the vascular effects produced by Indian hemp, belladonna, cocain, and other drugs, and Van der Kolk declares (*Mental Diseases*, p. 157) that when insane patients are labouring under intense emotional excitement, a dose of digitalis, by slowing the heart's beat, and so reducing the blood flow, invariably makes them much more calm and contented. But I shall take only one

more case as a further sample of this class of argument. Opium acts on the vaso-motors apparently by the effect it has on the vaso-motor centre in the spinal bulb. (Michael Foster, bk. ii., chap. v.) It stimulates the blood flow for a time, but soon passes on into the reaction of constriction and lessened fulness of the life stream. In medium doses it quickens at first the pulse; a profuse sweat bursts forth, and the brain becomes abnormally active. If the dose be small, this period of stimulation may last some little time, but it always moves on to the reaction; and the stronger the dose the sooner the reaction. I have heard from nearly twenty smokers in the opium-dens of Melbourne descriptions of their experiences. These all point to vaso-dilatation in the pleasant period, and vaso-constriction in the depression of the reaction, wherein a pallid skin and a cold clammy sweat indicate a certain paralysis of the superficial vaso-motors. Along with this stage there always comes a deep melancholy until the next smoke. De Quincey said that with him the "primary effects of opium were always to excite the system; this stage always lasted, during my novitiate, upwards of eight hours. All the changes of my dreams were accompanied by deep-seated anxiety and gloomy melancholy. I seemed every night to descend into chasms and sunless abysses, depths below depths, from which it seemed hopeless that I would ever reascend. The sense of space and in the end the sense of time were both powerfully affected. Buildings and landscapes were exhibited in proportions so vast as the bodily eye is not fitted to receive." (*Confessions of an Opium-eater.*)

The vaso-motor effects of opium are thus accompanied by proportional derangements of the emotions; and as the judgment is deposed from its habitual control by the soporific action of the drug, the mind becomes a riot of inconsequential feelings of awe and wonder, fear, suspense, and hope. The memory yields up its most sacred recollections of beauty, of gloom, of sunny vistas, of abysmal horrors; all charms of sound and sight, of odour and delicious touch are enticed from the mazes of remembrance and woven into the web of their appropriate emotions. De Quincey has a splendid description of the sort of vision that results.

"The dream commenced with a music of preparation and awakening suspense, a music which gave the feeling of a vast march, of infinite cavalcades filing off, and the tread of innumerable armies. The morning was come of a mighty day; a day of crisis and of final hope for human nature, then suffering some mysterious eclipse, and labouring in some dread extremity. Somewhere, I knew not where,—somehow, I knew not how,—by some beings, I knew not whom,—a battle, a strife, an agony was conducting, was evolving like a great drama or piece of music. Then, like a chorus, the passion deepened. Some greater interest was at stake, some mightier cause than ever yet the sword had pleaded, or trumpet had proclaimed. Then came sudden alarms, hurrying to and fro, trepidations of innumerable fugitives, I knew not whether from the good cause or the bad; darkness and lights, tempest and human faces, and at last, with a sense that all was lost, female forms, and the features that were worth all the world to me, and, but for a moment allowed, clasped hands, heart-breaking partings, and everlasting farewells. And with a sigh the sound was reverberated, everlasting farewells—and again, and yet again reverberated, everlasting farewells."

All this gorgeous phantasmagoria of emotions due to a few scruples of the juice of the poppy! It is impossible that these material drops could permeate the immaterial mind. They played strange tricks with the vascular tone of the body, and every change thus wrought was registered in consciousness as an emotion. Not, of course, that this explanation is more than probable, but it seems very likely that when, by the vaso-motor action of a drug, a free course is given to the blood circulation in the brain, the judgment being wholly or in part inoperative, the memory of sensations will thus be released in all sorts of fantastic combinations, to run riot after the whimsical fashion of dreams. But when the eight hours' effect of the drug is gone, and the vaso-motors are too demoralised to fulfil their function, there comes along with nausea, and headache, and a trembling of hands and limbs, the most awful depression of mind. The pall of a night gloomier and infinitely more dismal than physical dark-

ness seems to overspread the universe. I have seen, caged in an Australian gaol, a Chinese opium-eater who had attempted suicide and was being confined till the effects of his excesses should have passed away. Never shall I forget the picture we looked down upon, of an utterly collapsing despair. Gaunt, spectral despondency spoke from every dull glance of the eye and every listless movement of his slack-hung limbs. It takes from six to twelve months for a man thus bodily, and therefore mentally, demoralised, to begin to find an active interest again in life.

I have all along been contending that the moral nature is built on the foundation of the emotions, and we must then expect to find that a drug which gives a morbid character to the emotions will undermine the moral tone. This is indisputably the case both with alcohol and opium. I have known a lad most honourable, and a huge favourite among all his friends for his manly love of truth, who went into a medical school to pursue his studies among the usual temptations, and gave way to the fascinations of drink. Seven years were enough to dull the finer moral sense; five years more left him a poor creature, whose solemn oath no man would trust. And such cases are only too, too common! Not so frequent, yet quite as appalling, is the moral wreckage wrought by opium. Coleridge, at the age of forty-four, a white-haired, half-paralysed ruin, wrote to the doctor under whose care he wished to place himself: "You will never hear anything but the truth from me; prior habits render it out of my power to tell a lie; but unless I am carefully observed I dare not promise that I should not, with regard to this detested poison, be capable of acting one". But, alas for the self-delusions of men, his own estimate of his character as it then stood was much too high; for it is well known that then and afterwards his friends had grown utterly unable to trust him in anything of consequence. To bosom intimates like Southey and Wordsworth he was practically dead, having become a moral leper. The drug had ruined the vascular tone of his body and with it his whole emotional nature.

Emotional Effects of Pathological States.

Not less suggestive of the vascular origin of the emotions is the evidence supplied by morbid conditions of the body. Diseases which promote the surface flow of blood tend to produce the exalting emotions, while those that impede its flow give rise to depression. So also derangements of the liver always cause melancholy, and we use the word "bilious," both in a bodily and in an emotional sense; lung complaints almost invariably make the patient sanguine. I had once a neighbour, prosperous, wealthy, with a lovely home and an affectionate family. But his liver was disordered, and he crept about in the most charming weather a picture of misery, till one day he was found dead in his stable, whither he had retired to sever an artery. At the same time I had a young friend whose thin face and hectic cheek announced too truly the phthisis which was speeding to its consummation. But the bright eye was always ready to sparkle at a joke; everything in life was full of zest, much too full for his declining strength; and when his judgment told him, after repeated visits to the most competent specialists, that his life was rapidly nearing its termination, still the emotional side of his nature would not let him despond, and he was for ever catching himself up in the midst of bright plans for the future.

These are only types of the well-known contrast between the bilious and sanguine temperaments, which are known to depend on the character of the blood flow in the body. States of indigestion in which dizziness, faintness, and palpitation show how much the circulation is deranged, are generally accompanied by depression of spirits; and, as Griesinger tells us (*Mental Diseases*, p. 57), "in those afflicted with heart disease, anxiety appears, while in cases of disease of the intestines, moods of sullen irritability occur". On the other hand, we are told by Van der Kolk (p. 53) that hypertrophy of the heart with enlargement of the carotid artery predisposes to excitement and anger. Thus, as he relates, Dr. Parry was able to moderate the furious outbursts of a patient by merely placing some pressure on the carotids.

Asthmatics, as this author tells us, are very generally inclined to be timid and taciturn; scorbutic patients are peevish; those suffering from persistent constipation carry with them a vaguely anxious state of mind which they cannot reason away, however groundless they know it to be. In the celebrated case of Larrey's soldier in whom a musket-ball wound had laid bare the lower end of the stomach, it was easy with a probe to touch the ganglia; soon after there were observed strange derangements of the circulation with consequent alterations of temper and humour. Van der Kolk gives from his own experience an account of cases in which the profoundest melancholy gave every threat of passing into insanity, yet disappeared when strong purgatives had cleared the intestines of hard fæcal masses which had been an irritation to the vascular tone.

According to Dr. Ross (*Diseases of the Nervous System*), headaches, with all their depressing emotions, are often due to morbid conditions of the sympathetic nerves. Dr. Campbell (*Anatomy of Nervousness*, p. 24) declares that "a diffused feeling of mental and bodily misery constantly attends derangements and perturbations in the great sympathetic centres, especially in the solar plexus. These attacks generally come on with an aura, or with a sudden sensation of a blow or weak shock at the pit of the stomach; that they depend on molecular changes in the ganglionic centres is proved by Remak's experiments on the lower animals." The same author describes how in cases of morbid blushing, with their strange accompanying emotional states, there is always to be suspected some sort of lesion of the sympathetic nerves. Dr. Long Fox (*Diseases of the Sympathetic*) shows how in women suffering from uterine complaints, there are apt to appear morbid conditions of the solar plexus and the cervical ganglia, whence arise faintness, blushing, sighing, and very often melancholy or a deep sense of anxiety.

Griesinger (*Mental Diseases*, p. 107) describes how, in our sleep, the emotional character of our dreams often depends on morbid conditions of activity of the abdominal nerve centres. Thus in multitudes of well-known ways, the emotions peculiar to diseases of various sorts can be shown to have an

intimate dependence on the vascular tone as determined by the action of the vaso-motor system, including no doubt its centre in the spinal bulb.

Taking a specific disease as typical of others, I shall briefly describe the course of Grave's disease. It first declares itself in the strange emotional displays of the otherwise normal patient. A causeless feeling of nervousness, followed by hysteria, begins to suggest that something is wrong; the patient is easily excited or depressed, and becomes generally irritable. The disease occurs most frequently among women, and often continues long in this stage, till a sudden fright or fit of violent anger gives to the vascular tone a sharper derangement than usual, and then it enters on its more acute stage. The temperature of the head rises; the sweat glands of the face become morbidly active, the eyes begin to grow protuberant, so that eventually the lids fail to close over them. These latter symptoms resemble those that follow division of the sympathetic cords in the neck. The emotional states, therefore, may be supposed to have some foundation in morbid conditions of these cords. This conclusion is not unchallenged; for as the disease is rarely fatal, *post-mortem* examinations are infrequent, but Ziemssen, in his *Cyclopœdia of the Practice of Medicine* (xiv., p. 87), declares that a majority of first-rate observers, of whom he names eleven, have found, where examination was possible, that the disease coexisted with degeneration or obliteration of the inferior cervical ganglion, and sometimes of those parts of the sympathetic most closely adjacent thereto.

Derangements of the sexual organs would, if studied in detail, provide many specific cases of the same sort. Their functions are so intimately dependent on adjustments of vascular tone that when in morbid condition they very generally affect the emotional states of the mind. Van der Kolk, summing up an immense experience of the mentally diseased, tells us (p. 139) that "in cases of religious melancholy, we should rarely err if we assumed the sexual apparatus to be impaired".

Arguments from Insanity.

A brief consideration of the morbid conditions of the insane will emphasise the point now under discussion; for insanity is a derangement of the mind much less on its intellectual than on its emotional side. Maudsley tells us (*Responsibility in Mental Disease*, p. 299) that "men seldom, if ever, go mad from great intellectual activity, if it be unaccompanied by emotional agitation". Griesinger expresses the same view when he says (p. 165): "It is an absolute fact that intellectual exertion, unaccompanied by emotional excitement, leads only in the rarest cases to insanity". And again (p. 156) he remarks: "Hereditary insanity shows itself often in marked emotional derangements, the intelligence remaining relatively intact". It was Guislain, so much renowned for his researches into the nature of cerebral diseases, who first proved that "the immense majority of mental diseases commonly commence with a state of profound emotional perversion, generally sorrowful".

When the anterior lobes of the brain are injured, or diseased, or incomplete, we have intellectual weakness, which however is in general a very different thing from insanity. Large masses of mankind are intellectually weak who are never regarded as in any way insane. They may flock to fortune-tellers; they may hold absurd views on religion, or medicine, on omens; they may quake for fear of ghosts and be satisfied of the existence of a horned and hoofed and fork-tailed personal devil, but they are not insane. The evening talk of a few agricultural labourers over their mugs of beer may be intellectually the merest drivel, but they are not insane. When disease or incompleteness of brain is extreme, the individual is an imbecile; he may become so helpless as to require the care which can be given only in confinement, but never does it follow that he is insane, in the now accepted meaning of that term.

True insanity always begins with a morbid condition of the emotions. We confine people as lunatics, not because their reasoning is unsound, but because the play of motive in their minds is too abnormal for us to rely on it. Thousands

of people believe absurdly enough that they have been wrongly treated. That does not make us interfere with them. But when extravagant vindictiveness appears, when the individual goes about with a pistol to shoot imaginary persecutors, he is classed among the insane, though his intellect may still be capable of profound or brilliant work.

All insanity falls in its beginning under one or other of two headings—mania, and melancholia; the first consists of a morbidly exalting state, the other of a morbidly depressing state of the emotions. A few quotations from Griesinger's standard book will give the views universally held by experts in mental disease. "Organic irritations do not usually excite at the commencement new ideas, but those vague indeterminate modifications of the consciousness which are called emotions" (p. 33). Insanity begins, as he tells us, "when one is elated or depressed without external cause" (p. 61). "Observation shows that anger, rage, rancour, on the one hand; or, on the other, joy, gaiety, frolic are the marked elementary phenomena of insanity" (p. 62). "The first stage of insanity consists of aimless ill-humour, oppression and anxiety, or else of morbid fondnesses which are subject to capricious change."

These statements could be corroborated to an almost unlimited extent from the works of later and probably better writers, but I take them by preference from Griesinger as he was the first to give wide currency to the work done by the earlier specialists, which has been amply maintained by all recent investigations. We have now to ask what produces the morbid emotions of organic insanity as distinguished from accidental insanity arising from injury to the brain substance. No very decided answer can be given, but there seems to be every probability that the emotional perversions which usher in attacks of insanity are due to morbid conditions of vascular tone. Van der Kolk asserts (*Mental Diseases*, p. 59) that they very frequently depend on alterations of blood pressure in the brain, arising from morbid action of the sympathetic. Melancholia, he feels sure, proceeds largely from the action of the sympathetic system, and in particular of its abdominal ganglia.

In mania there invariably occurs a great contraction of the

pupils of the eyes; a rise of temperature of the head while the hands and feet are cold, both being a little swollen and eventually bluish; if mania proceeds long enough, the ears are from time to time seen to redden in premonition of an attack, while the nose assumes a dark red colour. (Van der Kolk, p. 107.) These things suggest that derangement of vascular tone is the bodily cause, due to morbid conditions of the vaso-motor nerve centres. Contraction of the pupils is an invariable consequence when the cervical sympathetic is cut, and this, as Van der Kolk (p. 100) and Griesinger (p. 105) tell us, is a symptom perceptible for months or even for years before the outbreak of the mental malady.

Taking the two classes of insanity separately, I shall show how closely the vascular and emotional changes accompany each other in maniacal and melancholic derangements. In the former (using the descriptions of Van der Kolk, p. 96), "the pulse is generally quick, often hard and full, the face is red and the eyes sparkling; there is an unusual mobility, a certain precipitation in all action, and in consequence of this agitation, a decided feeling of health, so that the patient believes himself to be better, brisker, stronger than before. This excitement, this rapid current of thought, the restless occupation, the inflamed fancy convince him that he is able to accomplish more than he formerly could; he feels himself standing higher, more intelligent, richer, or even more powerful; the understanding is unable to govern the impetuous, ever-swelling stream of images and ideas, the most extravagant plans break forth; millions or kingdoms are gambled with, and we have now to do with a prince or an emperor or a deity."

Griesinger (p. 273) gives an analogous description of the exalting effects of mania. The fundamental feature of the approach of the disease is over self-confidence. As the malady progresses the patient "talks in a loud voice, is active and voracious; he complains of disagreeable sensations in the epigastric regions". He begins to have pains in the head, dizziness, a red face; he is troubled by constipation and palpitations; his pulse is feverish and there is often a great exaggeration of the sexual desires. The patient is easily plunged into states of violent astonishment or furious indig-

nation, and, when the insanity is seen to be pronounced, he becomes extravagantly happy, dancing, shouting, singing, laughing, shrieking wildly; he plays grotesque pranks or becomes recklessly destructive. In quieter moments he assumes a haughty tone, or is sublimely audacious; or perhaps he is only inordinately cheerful. As the destruction of vascular tone in the brain proceeds the emotions grow more and more exalted, while the judgment becomes utterly incapable of holding them in check. The patient may on other topics converse rationally, he may have lost nothing of the learning or skill or shrewdness which before characterised him; but he is filled with emotions of greatness. His genius transcends all that the world has seen, he can find no name great enough to express his sense of his own capacity.

Pinel (quoted Maudsley, p. 141) " was not a little surprised to find many madmen who at no period gave evidence of any lesion of the understanding but who were under the dominion of instinctive fury". He tells of a man who experienced at regular intervals fits of rage ushered in by the following symptoms: a sensation of burning heat in the bowels with an intense thirst and obstinate constipation; this sense of heat spread over breast, neck and face along with a bright colour, while the arteries felt as if about to burst; then came a sanguinary propensity, and if he could lay hold of any sharp instrument he was ready to sacrifice the first person who came in his way. Yet this man showed no sign of incoherence or delirium; even in the fit, he felt deeply the horror of his situation. Such cases are frequent enough in the experience of every asylum for the insane. The well-known instance of Mary Lamb is illustrative of mania as an emotional condition free from intellectual derangement.

Griesinger considers that all sorts of mental anomalies result from congestion or anæmia of the brain (p. 422). This agrees with the experience of Foville (quoted Carpenter, p. 678), who found that in acute cases of mania, *post-mortem* examinations proved the cortical layers of the brain to be intensely red, while in chronic cases they had gone the length of becoming indurated and adherent. The authorities on the treatment of the insane insist upon it that in convalescence,

such patients must be carefully kept from all that would cause a determination of blood to the head. Otherwise everything that had been done for their alleviation is speedily undone. According to Griesinger (p. 473), when an attack of mania is seen to be imminent, it may often be avoided by drawing blood from the back of the neck; while a douche of cold water (p. 294) every morning will permanently ward off attacks from some. When an attack has commenced, a tepid bath for legs, with ice for the neck, may terminate it (p. 474). Both he and Van der Kolk (p. 105) relate how maniacal attacks can be warded off by early administration of digitalis, which, by reducing the feverish action of the heart, will lessen the current of blood through the brain.

The escape of the nerve-irritant by some unexpected channel will often cure the patient; an attack of diarrhœa, or the outburst of some skin disease, perhaps a distracting neuralgia, or a period of bleeding or of dropsy will set him right. Cases have been known in which intensely depressing emotions have temporarily cured a maniac. A great fright so far counteracts the exalting emotions to which he is subject as to leave him for a time a man of sane mind. The period of convalescence is generally marked by irritability of temper and a general excitability. Griesinger remarks (p. 456): "As insanity begins with perverted emotions, so it is this phase that is to be looked for also in its disappearance".

All insanity which is not mania consists of melancholia. When the general circulation of the body, but more particularly that of the brain, is impeded by morbid conditions, the mind becomes depressed; and, without any external reason, the patient suffers from anxiety and ceaseless grieving, and often he passes into a state in which suicide becomes a fascination. Van der Kolk thus describes these sufferers from melancholia (p. 99): "The patients are mostly still, depressed, sorrowful; they have rarely much confusion of ideas; they speak and judge correctly, but they are governed by the fancy that they are the most unhappy of men. They fall into the most horrible anxiety, which is combined with a feeling of oppression in the chest, or stomach, or abdomen. This feeling of anxiety is generally confounded with a guilty conscience.

They fly from men, like to conceal themselves in dark corners. The brain is dull, the eye dejected, the pulse small and contracted."

Griesinger's descriptions of the seven chief pathological groups of symptoms that accompany this derangement of the emotions seem in general to suggest no lesion of the brain substance itself. They point rather to functional disorders dependent on morbid states of vaso-motor and secretory nerves. A derangement of the visceral organs or of their nerves may cause the blood of the body to remain in sluggish circulation round the interior parts where the pressure is low, and so to forsake the brain and muscles; in that case the patient will be languid in body and in mind. This seems to be by far the most frequent origin of melancholia. A writer who seems to have had large asylum experience (John Macpherson, M.B., *Journal of Mental Science*, 1893, p. 40) asserts that "in a certain degree every case of melancholia is visceral. The mouth is dry, the tongue furred, and the bowels constipated." He tells us that "an instantaneous though temporary improvement always follows the relief of a loaded intestine" (p. 38).

Diseases of the colon, uterus, bladder and generative organs give rise to melancholia; cholera, typhus and typhoid fever, as well as various kinds of intermittent fevers have sent their thousands of cases to the asylum, generally in the form of melancholics. Addison's disease of the supra-renal capsules, which are most intimately connected with the sympathetic system, almost always produces melancholia. (Griesinger, Maudsley, Ziemssen.)

The mind cannot control the body in the sense too often implied in that assertion. A man suffering from melancholia will feel himself wicked to be so discontented and unhappy: he does his best to shake off the gloom that hangs over him; he tries to take an interest in things; but the brain refuses to respond: he complains that all things round him seem unreal, as if heard and seen in a dream.

The imbecile are of course a totally different class from the insane. Griesinger divides them into two classes; the apathetic, and the agitated (p. 376). The distinction is again based on vascular tone; those in whom blood circulation is

below the normal being proportionally lethargic; those in whom it is in excess being accordingly mercurial. "In the most profound cases of idiocy," says Griesinger, "emotions are entirely connected with bodily sensations; they appear to originate without motive through obscure internal changes of the brain and nervous system."

Among sane people, while the majority are sufficiently balanced in vascular tone to experience the emotions only as passing phases, there are multitudes who habitually incline to one extreme or the other. There are those by nature flighty, whom the French denominate *engourdi*, people who can never be still, who must talk, though conscious that what they say is folly; who boast a great deal and prattle of things which they know ought to be kept secret; who spend lavishly and enjoy themselves noisily. These are always liable to pass by excess of their volatile qualities into mania.

On the other hand, there are abundance of sane people who spend their lives in chronic dulness and low spirits; who take a despondent and lachrymose view of everything; the world is always using them badly. If such people have a good income they are discontented because others have more who deserve no better; if they dwell in this place they are unhappy because not in that; if they have children they always count the expense and never the joy of them; if they have none they count the joy they might have had and never think of any disadvantages. Medical science is now coming more and more securely to connect these variations of emotional type with bodily conditions; I have endeavoured to show that the main bodily variation connected therewith is the general vascular tone, which acquired its great variability, because in the early development of animals, just as in man himself, individual safety depended, and still depends, on the capacity of the organism to be roused to courage or amatoriness on the one hand, or depressed to fear and caution on the other.

The Primary Emotions.

Darwin says (*Expression of the Emotions*, p. 69): "When the sensorium is strongly excited, nerve-force is generated in

excess, and is transmitted in certain directions". This, while accurate enough for the purpose the illustrious writer had in hand, is rendered loose by the use of the word "generated". An external stimulus of a sense organ cannot generate nerve-force. It can only release the nerve-force which has been already derived from the food stuff consumed by the animal. Even while the animal is asleep the food is being steadily digested and transformed; the molecular energy therefrom derived is stored away in potential form ready for subsequent use. Every ganglion in the body, including, of course, that greatest of all, the brain, becomes a reservoir of this energy. "Each of these ganglia appears to be a centre for the development or modification of nerve-force," says Sir William Flower. (*Diagram of the Nerves of the Human Body*, p. 9.) In the normal state these ganglia give off their streams of energy in even and well-regulated flow. But in the struggle for the emergence of the best adapted forms, an animal would have a better chance of surviving in proportion as the sense stimulus which announced a crisis to be at hand became capable of releasing this stored-up energy at one comparatively brief discharge; and in that capacity lies the foundation of what I shall call the primary emotions.

To give greater definiteness to our conception of the nature of these simpler emotions I shall attempt a classification of them with a brief sketch of the action of each, before proceeding at the close of this chapter to show how their development affected the growth of the moral nature.

All these primary emotions arose in the first place because they helped to preserve the individual, but they subsequently acquired the power of being contagious because thus they could better minister to the preservation of animals in society. An emotion thus derived by contagion, as when the fear exhibited by one makes all afraid, or when the laughter of an individual makes many laugh, I shall call the induced primary emotions. After having discussed these in somewhat summary fashion, I shall deal still more briefly with those secondary emotions into which intellectual states intrude.

The emotions will appear in groups of three, each group

representing three different degrees of intensity of the same fundamental feeling. Our emotions are so manifestly the larger part of our lives that it is no wonder if language divides them and tickets them off in many degrees of complexity and strength. Thus for the one idea of fear we have concern, worry, anxiety, suspense, dismay, fright, terror, dread, horror, with other intermediate grades. I shall for each emotional state choose three grades only, to represent the positive, comparative, and superlative degrees; thus, *anxiety*, *fear*, *terror*. The first set in each column are not, properly speaking, emotions, being no doubt the direct effect of sensations on the sensorium, but they act on the vascular system so as to awaken their appropriate states of accompanying emotion, and in the history of animal life these were the earliest and most fundamental for the preservation of the individual.

PRIMARY EMOTIONS.

Depressing.	*Exalting.*
Uneasiness.	Comfort.
Pain.	Pleasure.
Anguish.	Ecstasy.
Dejection.	Joy.
Grief.	Enthusiasm.
Despair.	Triumph.
Anxiety.	Courage.
Fear.	Anger.
Terror.	Fury.
Dislike.	Sexual Preference.
Jealousy.	Love.
Hatred.	Amatory Passion.
	Maternal Satisfaction.
	Maternal Love.
	Maternal Devotion.

Pain and pleasure are found very far down in the animal scale; being, as Spencer has elaborately shown, the motives which keep the individual from what is injurious, and

attract him to what is advantageous to his vitality. Pain is localised in the body; it is the direct operation of the irritation of certain specific sets of nerves, whose business it is to bid us seek the discontinuance of some injurious influence. But, if long continued, it gives rise to grief, which is a slow, dull constriction of the vascular system throughout all the body. The animal when beaten suffers pain; but, when enclosed in a cage for long weeks, endures grief. The sensation of pain leads more or less definitely to the emotion of grief, and grief never exists unless under the action of the more or less continuous impingement of sensations of pain either direct or remembered.

There is the same sort of difference between pleasure and joy. There is pleasure in eating a ripe peach; there is joy in going out morning after morning and watching your peaches ripen and redden. The one is a sensory stimulus, not unaccompanied with joy; but the other means that a daily stimulus of a certain degree of pleasure gives a certain noticeable fulness and vigour to the flow of your blood. A continued anticipation of the sensation of pleasure will give rise to the emotion of joy; while the realisation of a coming pain will keep the circulation low and languid, so that the individual will experience the emotion of grief.

Fear and grief have much that is fundamentally analogous, but they differ in two respects. Fear is due to a more or less sudden closing down of the blood-vessels of the body; we soon recover from the effect when the cause is gone; but in grief a steady constriction is placed on the vessels, and the vital tone, though less sharply, is more permanently lowered. When fear is long continued it brings grief, but not otherwise. If a man narrowly escapes death by a sudden accident, he may testify that he experienced much fear, but never any grief; but if he were shipwrecked and passed several days in a position of extreme jeopardy, a state of fear would pass into one of dejection or grief. Moreover, fear is the convulsive shrinking from a pain seen to be approaching, as when a dog crouches beneath the uplifted stick; while grief is a continuous depression of the bodily powers due to the successive action of small pains, as when the dog is

unhappy because instead of whipping him you refrain from your usual caresses all the rest of the day. If there be any difficulty in understanding how the same general condition of vascular tone may, by specific differences of detail, give rise to emotions so distinct as those of fear and grief, let it be remembered that light vibrations falling on the retina of the eye will give rise to the sensations of red or green according as these vibrations are slower or faster. The mechanism is still a matter explained by rival and inconsistent theories, but the simple fact is known that things so like as vibrations of varying speed can give rise to sensations so unlike as red or purple light.

The effects of fear in its intenser forms are easily imitated by the stimulation of the sympathetic nerves. When an electric current is sent into the ganglia of the neck the following are the results, according to Landois. The pupils of the eyes dilate; the eyes themselves start from the head; the cornea becomes round and protuberant; the blood currents are intercepted to the ear, face and mouth, which therefore become pale; the flow of saliva is checked; so also is the flow of tears; and the secretion of sweat is deranged.

With lesser states of fear the symptoms are more or less mixed and conflicting; but when this emotion is intense, the physical features are precisely those described for stimulation of the cervical ganglia. In the higher mammals, but more especially in man, the facial nerve is highly developed; and, for reasons connected with the growth of the induced primary emotions, this takes a large share of the discharge of nerve stimulation which proceeds from the sensorium. Its activity gives movement to the muscles of the face, but particularly to the *platysma myoides* muscle of the cheek and neck. In violent terror this muscle tends to open the mouth and draw its angles outwards.

But the nerve stimulus after discharge into the nerves of the head, overflows into those of the body. Landois, as the result of experiments by Bernard, Cyon, and Berzold, states that electrical excitement of the accelerating fibres in the ganglionic chain quickens the heart's action, while further down, excitement of the splanchnic branches of the sym-

pathetic intensifies the movements of the intestines, bringing on diarrhœa; while at the same time the kidneys are thrown into greater activity. This is always the action of violent fear. The action of the heart is quickened and the bowels are sharply moved. Dr. Samuel Wilks remarks that many animals when hunted leave upon the ground trails of evil-smelling fluid, evacuated from the bowels by reason of fear. (*Diseases of Nervous System*, p. 491.) Hartmann relates (*Anthropoid Apes*, p. 265) that purgatives were never needed for a gorilla which he long had under his notice. A sudden trumpet blast in its ears was sufficient soon to bring on a copious discharge. So, too, with the action of the bladder. Fear makes every animal anxious to relieve it, and when I have been taking the temperature of animals I have found in many species of mammal that an immediate discharge is an almost invariable symptom of extreme fear.

It has already been shown that the stimulus which deprives the muscles of blood must give to the internal organs an increased supply. Hence that which blanches the skin increases the evacuations of the viscera and renders them more watery than usual, an effect always perceived as the effect of fear. (Wilks, p. 491.) In grief the results are not so invariable; there are some who seem to suffer from constipation during the continuance of that emotion; others are inconvenienced by diarrhœa. An experiment of Botkin and Roy (quoted Landois and Stirling, sect. 103) shows that electrical stimulation of the splanchnics always causes a dilatation of the spleen, a feature which generally accompanies depressing emotions. The nursing mother after a fit of fear, or during the continuance of grief, will find her milk deficient and of poor quality. Not only has her blood circulation been shut off from the breasts, because they lie on the surface, but the secretory nerves have themselves been disorganised.

Dislike, jealousy, and hate are in their physiology closely analogous to fear and grief. They whiten the skin, reduce the glandular secretions, and depress the vitality, but they have one very distinctive feature. The bodily powers which they restrain are still present, though kept in repression. Hence the body is in a peculiarly explosive condition, so that violent

paroxysms of anger suddenly burst forth at a touch. The man who looks pale from the grief of nourishing a long-continued hate will redden at the sight of the object of his dislike. The woman who looks like marble from the deadly gnawing of jealousy will show a deep dark flush when her rival suddenly comes in sight. Fear, grief, and hate can all exist together in the one mind, for they depend on what is only the one bodily condition. They all arise from pain or expectation of pain. If this bodily condition acting in the motive sphere of the animal's mind impels it only to escape from pain, the emotion is fear; but when the sight or sound of that which has caused pain is itself painful, the emotion of hate arises. When pain has no strong effect upon motive, but continues as a dull depression of vascular tone, we call it grief.

The emotions which exalt the animal frame are more numerous than those which depress, because it has been of more preservative value that an animal should be roused than that it should be repressed. Joy, courage, anger, sexual desire, and maternal devotion have all been necessary in the highest degree to the survival of every species of fairly well-developed animals. They have all meant the heightening of the vital faculties for the accomplishment of some specific act needful for life of individual or of species.

The physiological action of all may be accurately imitated in experiments by the severance or paralysis of the sympathetics. The blood then flows through the superficial vessels of the body, leaving somewhat depleted those of the internal organs; the heart beats more strongly; the muscles are invigorated; the skin acts freely; the pupils are contracted; the muscles of the eye contract, and this gives the eyes, not the protuberant gleam of fear, but a certain sparkle well known as a feature of joy, of anger, of love, and high wrought feeling. The face and head of a baby, eight days old, as Darwin informs us (*Expr. of Emotions*, p. 159), will redden suddenly in a fit of anger, and we know that if its cervical ganglia could be cut through, precisely the same effect would follow. But to simulate the whole effect of anger we should have to divide the sympathetic in several places so as to secure the dilatation of the blood-vessels throughout the

body. Taking the case of fury as being the most extreme of the set, all the veins of the body are seen to swell, the hands are clenched, the teeth are set, the saliva foams from the mouth; the muscles of the larynx being contracted, the breathing is heard roughly, or there may be shouting or screaming.

The great flow of blood thus occasioned to the muscles of the peripheral part reduces the pressure in the internal organs; while the face reddens, the stomach and intestines grow white. Hence a violent fit of anger is followed by indigestion and constipation, with scantier and more deeply-coloured urine. But these disadvantageous effects are chiefly seen in the liver, wherein blood pressure is extremely low. Moreover, the pressure under which bile is expelled from the liver is very slight, not a tenth part of the pressure in a normal artery. Blood, therefore, can find its way freely through the liver only when its course through other parts of the body is somewhat restricted. If in a fit of anger all the superficial blood-vessels are overcharged with blood, the consequence must be that the portal circulation of the liver, conducted at a pressure less than a fifteenth of that elsewhere, is for the time being almost obliterated, and the bile which the liver should secrete is either not produced or else is reabsorbed. Now each of us requires that from 500 to 600 litres of blood should pass through the liver in a day, so that we may derive therefrom the requisite amount of bile and glycogen for the use of the body. If this flow be seriously checked for an hour or two, the bile already produced is absorbed into the lymphatics, and a bilious attack is very probable. (Lauder Brunton, p. 184.)

Thus after the angry man has set upon the timid man and tried to throttle him, the latter, whose skin was white, suffers from heart palpitations and subsequent diarrhœa; while the former, whose skin was red, suffers from biliousness and subsequent constipation. The languages of all primitive peoples clearly recognise this connection. The heart, the liver, the stomach, the bowels, are made the seats of all passions and emotions. We still talk about black bile, and speak of a man having no stomach to fight; we talk of warm-hearted people

and quote Scripture as to "bowels of mercy". But, of course, in these expressions the indirect effect is put in place of the cause. The efficient agent is the altering blood pressure in the surface and central vessels; all these internal effects are but consequences of this.

In a state of healthful happiness all the blood-vessels are in good tone; and this tone, with its accompanying good spirits, can often be secured by mechanical means. A man rises in the morning in a depressed frame of mind. He walks down to the sea, takes a plunge, rubs his skin well with a rough towel, walks briskly back, and lo, the black cloud has lifted from the outlook of the day's pursuits. A lady, nursing a sick child, is looking very white and miserable. Induce her to go for a drive or, better still, for a smart walk; she comes back to her work with a manifest improvement in spirits. Surely this is a very evident proof that the tone of the mind is the presentation to consciousness of the tone of the body.

In the case of joy, enthusiasm, or triumph, the tone of the superficial blood-vessels is somewhat disturbed in the direction of fulness. The body is energetic; animated gesture relieves the muscles of their overflowing energy; shouts and waving of hats; the grasp of cordial hands; even dancing, capering, and wild demonstrations, help to give vent to that exuberant fulness of vascular tone which is the emotion of joy on its physical side.

Anger differs from joy as fear from grief. It generally arises from a more sudden stimulus, it is more violent in its action, but as a rule more evanescent. It throws all the vigour of the body into a few uncontrollable efforts, which leave the muscles thereafter tired and trembling. Moreover, in anger and fear the attention is concentrated on the cause of the stimulus, whereas in joy and grief the individual experiences only a passive consciousness of his vascular condition. A man cannot be angry without having the object of his anger in his mind and wishing to oppose or destroy it; he cannot be afraid without thinking of the object of his fear and wishing to escape it. But he may go on with his daily tasks and have his mind engrossed in them while vaguely conscious of the pulse of joy that courses through his body,

or while there is only a background of grief dimly felt as a loss of vitality. Joy and anger both are exaltations of bodily faculty, but whereas the one is perceived as an agreeable tonic, the other, unless in a mild degree as a mere excitement, is too severe in its strain to be a source of pleasure.

This, however, can scarcely be held to exhaust the full measure of difference between joy and anger. There are obscure effects upon the region of motive to be taken into account. When the youth receives a sweet smile from the object of his affections his pulses throb with joy, he is full of energy and would walk a hundred miles for her sake. But when he sees her give a sweeter smile to his rival, his pulses throb still more; again his energies swell high, but now they impel him in a wholly different direction, and he longs to knock the man flat, to kick him, or fight him, or otherwise expend his overflowing energy upon the object that has stimulated it. But though the operation of bodily state upon motive is in many respects obscure, we may feel certain that the same process of development which gave to animals their emotions as their only motive power, would cultivate a delicate adjustment between the internal condition and the external circumstances it was intended to provide for.

The sexual emotions belong to the same general class as those of joy and anger, quickening the blood flow and heightening the bodily faculties. They pass very readily into joy on the one hand, or into courage and anger on the other. To be in love with a woman is to feel the pulse flutter at a glimpse of her, to feel a thrill at the sound of her voice, to feel the blood rush on in riotous impulse at the touch of her hand. The man who can sit beside a pretty woman and experience no vascular change, may have the highest regard and respect for her, but he is wholly fancy-free. But if he has any reason for not wishing to fall in love with her, yet feels these subtle thrills through the blood-vessels of his body, it is time he should depart.

All these emotions but one are fully developed in all warm-blooded animals, and form the most notable feature of their lives. But the last of them, maternal devotion, appears only in slight measure in many of the mammals. The early

chapters of this book were devoted to the purpose of describing how and why it grew, slowly developing in fish and reptile, but progressing more rapidly in bird and higher mammal. It has already been shown that maternal affection is connected fundamentally with a change of vascular tone, which causes the yearning tenderness experienced by the mother at sight of her babe, especially in the period of suckling. I shall shortly have to explain how this widens out into a more general emotion of sympathy, and gives rise to the wider influence of parental love.

But before proceeding to consider this and the rest of the induced primary emotions, I shall here deal briefly with some anomalies that arise in this view of all emotion as being founded on changes of bodily tone. It is strange, for instance, if fear is a damping down of the bodily energies, that it should bring an animal strength for flight; it is strange that while anger reddens the face it should, when long continued, make it deadly white. Other difficulties of this kind may easily be enumerated; but they are of a piece with similar anomalies everywhere seen in the action of the sympathetic. For instance, a slight scratch on the skin, as with a thumb lightly drawn over it, produces a white line; one more violent produces a red line. A little cold makes our hands red, but severe cold makes them white, and so on. It is to be remembered, however, that all our blood-vessels are under the control of a double set of vaso-motors, the vaso-constrictors and the vaso-dilators. The one set are the more readily irritated, yet the other, though slower in beginning to act, are the more permanent in their effects.

J. R. Bradford has shown (*Proc. Roy. Soc.*, 1889, p. 362) that a slowly rhythmic current of electricity sent through the splanchnics will cause the kidneys to contract and the blood pressure to fall; while a quickly rhythmic current will produce precisely opposite effects. J. N. Stewart has shown (*Journ. of Physio.*, 1892, p. 60) that similarly anomalous effects are secured by stimulation of the two nerves that control the heart. Stimulation of the vagus immediately slackens the heart's action, stimulation of the sympathetic quickens it. Not till after the lapse of some time, however,

does this latter effect become considerable, but it eventually grows the more powerful of the two. A heart that has ceased to beat under excessive stimulus of the vagus may be made to start again when the stimulus of the sympathetic approaches its maximum (p. 83). Lepine has shown (quoted Stewart) that when a warm leg has its sciatic stimulated, the blood-vessels are thereby contracted; but if the leg be cold, precisely the same stimulus causes dilatation. From a paper of Cyon (*Comptes Rendus*, 1869, p. 568) we learn that an irritation unaccompanied by the sense of pain will so act upon the vaso-motors as to dilate the vessels; but whenever a sensation of pain accompanies the irritation of precisely the same nerve, the effect is to constrict the vessels. Apparently anomalous results of this class are very numerous in connection with vaso-motor excitation.

Without entering, therefore, into a detailed examination which would be equally out of place and beyond my skill, it is clear that in the experimental reactions of the whole sympathetic system, there abound anomalous effects of the same sort as are seen in emotional derangements. If a lady at her toilet saw the grinning face of a maniac appear at her window, her heart would seem to stop still on the instant with a shock of fear and all strength would seem to desert her; but a second after, when she saw him endeavour to open the window, she might turn and flee with a speed and strength unusual to her, and her heart, which an instant before had seemed to have been paralysed, would now be felt to gallop furiously. Anomalies of this kind are easily comprehensible, though perhaps not as yet fully explicable, when we remember that vascular tone is everywhere due to the balance of opposing nerves, which may be unequally or alternately stimulated; or which may so act that while one is the earlier in action the other may eventually be the more strongly acted upon by the same irritation.

Induced Primary Emotions.

All these primary emotions have reference only to the safety of the individual; but so soon as animals grow social, it is found to be a huge advantage if the emotions become

contagious. If one in a shoal of fish sees an enemy too big to be fought, it turns and darts away. All the others, though they have not themselves seen the danger, take infection from the fear of the first, and those animals in which this emotion is most contagious will assuredly have the better chance of surviving. But if one of the shoal, carrying its sight afar under the dim waves, perceives a shoal of smaller fish, courage and hunger prompt it to dash off to the prey. All the others catch the infection; and we perceive, not the stampede of fear, but the rush of hosts to battle or to the feast. Anger is contagious, for it is an advantage to a species that if one or two should dash themselves with fury on the foe, all may be impelled to do likewise. This contagiousness of emotion is that which fundamentally produces the preservative value of social life.

The nature of the nerve action produced by any emotional stimulus is obscure, and we cannot yet describe how it is that the sight of fear makes us afraid, the sight of anger rouses our temper. But we most certainly know how clear is the fact that these stimuli of infection do actually occur, the induced emotion being exactly analogous to the primary. If when a concert hall is full of people, a man rushes in, breathless, speechless, pale in face, with his eyes staring and his limbs trembling, an instant shock of contagious fear spreads through all or almost all the audience. Some irrestrainable voice calls out "Fire" and a wild stampede occurs. But suppose that during the panic some individual mounts the platform with cool frame, calm attitude, and a loud unshaken voice, and calls out to the people that there is no reason for alarm, his manner, far more than his words, will reassure them; they will catch from him the infection of courage, and calmness may thus be restored.

Every officer knows how two or three cowards in a company will affect the rest. The average mortal cannot in a time of uncertainty feel the trembling of his neighbour's body and not experience some emotion of alarm. But courage, too, is contagious, and a brave fellow will fill with bravery all who are near him. Many a battle has been won by the infectious daring of the standard-bearer who leaps into the

waves, or of the stout leaders of some column who have hurled themselves impetuously on bridge, or ford, or other key to a military position. Many a seaman has caught coolness and courage by taking an occasional look at his captain patrolling the deck, like Nelson, in quiet conversation while the masts and bulwarks were splintering all around. The private soldier who saw General Gordon coolly lighting his cigarette in the midst of the hottest action must have felt his nerves thereby steadied; while the flight of the leader, whether Darius or Honorius, Medina or James II., has always led to irretrievable disaster.

I make no attempt here to explain the mode of operation by which infectious stimuli thus act. It is enough for our present purpose that they are most manifestly active causes. Audubon relates that he has often seen a row of pelicans stand motionless for hours; suddenly one would yawn, whereupon all of them from one end of the line to the other would similarly yawn. If one canary begins to sing, a score immediately keep him company. If a cock hears a crow, faint in the distance of miles, he is impelled by the stimulus to lift up his voice likewise. If a dog howls, all the others of the neighbourhood commence. If one baby in a room begins to cry, each one takes up the wail in turn. If one person laughs, others must laugh too. I have never shown to children Hogarth's engraving of the laughing audience without seeing them all break into a broad smile; and a magic-lantern slide I possess, which consists merely of an instantaneous photograph of a girl in the midst of a hearty laugh, always produces a loud explosion among the little folk by mere contagion. The mind has small control over this sort of infection, as those must always find who wish to be solemn on some serious occasion, yet are smiled or winked at by a more frivolous person. It is remarkable how naturally smile answers to smile. I have found by observation of my children that this faculty of response begins about the age of two and a half months.

There are thousands of well-known facts which force us to the conclusion that our nervous systems are most delicately susceptible to emotional states arising from external stimuli that have no sort of apparent cogency. A strong man will in

vain endeavour to sit quietly near a boy who loosely scrapes a slate-pencil on a slate. The sound of saw-sharpening irritates most people, and Vogt says that with a saw and a file, men can put the beech marten into so ungovernable a fury that it darts from its nest and is easily caught in nets. A barrel organ can almost kill one man with nervous irritation, while the bagpipes send another into absolutely furious moods.

The pleasant sensations of music are of the same class. A martial strain sets our blood boiling, and we long to join the march; to that music we could trudge long leagues and not grow tired. Heard at a popular concert, it sets many to stamp in time. But a plaintive passage for stringed instruments has a wholly different effect on our nerves, and therefore on our vascular system, and consequently on our emotions. A fine symphony well played may give rise to an exquisite succession of emotional states merely by the soothing or rousing effect upon the nerves produced by subtle combinations of air vibrations. If an orchestra entered into a conspiracy that at a certain bar of a delicious adagio they were to abandon the music for a simultaneous riot of disjointed discords, how greatly would the emotional state of the connoisseur be altered! From the delight of being lulled in soft Lydian airs, one would see him spring to his feet, his face red with anger and distorted with nervous irritation.

One can often feel the subtle play of musical vibrations among the nerves. In Darwin's autobiographic sketch (*Life and Letters*, i., p. 49) he tells us that music gave him intense pleasure, so that his backbone would sometimes shiver. I have induced many persons who were specially susceptible to musical influence to give me their experiences; and through all the confusion of their descriptions, there is one thing tolerably clear, that the physical effect is a change of vascular tone, spreading out from the region of the diaphragm and therefore probably enough operating through some pelvic plexus. I have kept notes of my own sensations on occasions when I happened to be affected by instrumental work wherein no mental influence of words could arise. The first time I heard the overture to Semiramide I noted a deliciously shivering

sensation welling upward from the middle of the backbone; ramifying into the head, with a sense of infinite expansiveness so that the chest seemed to grow strangely large and lose its substantiality; little nervous ripples at every chromatic transition seemed to trickle through the head; and, from a peculiar melting feeling and gentle inward pressure, the eyes threatened to be half suffused with tears, a tingling of blood at the ears and a certain glow of warmth on neck and cheek seemed to show that the emotion which the music evoked was the result of a greater admission of blood into the vessels. I have notes of similar sensations in hearing some of Spohr's music, in the slow movements of Beethoven's symphonies and sonatas; with others of Schumann and Schubert. My own experience, as well as the evidence I have been able to gather, satisfies me that while the first effect of rhythmic impingement of vibration is on the nerve system, the next is upon the vascular tone of the body.

Even apart from musical chords and cunningly contrived sequences, monotonous sounds have charms of their own. The sibilant roar of falling water soothes our nerves; so do the monotonous lowing of herds, the bleating of sheep, the cooing of stockdoves, and the long unvaried chirp of the grasshoppers and crickets. Where I now sit writing, the delicate lap of wavelets on a summer beach rises up a grassy slope in a rustle more soothing to the nerve, and therefore to the emotions, than the most delicately narcotic of drugs.

Our systems then are exquisitely sensitive to nerve stimulus, and strange effects do we see in little infections of everyday life. Many people long to dance when they see others dancing; one hysteric woman will make half a dozen hysteric. In a church, if one person coughs, a dozen others must cough; if two people are arguing in a loud tone we feel our tempers slowly rising and it is hard to keep cool; the low moaning of a sick person in another room is an absolute torture. Every passion, every feeling may thus be transmitted by contagion; enthusiasm, hope, joy, fury, courage, fear, despair, grief, may all be imparted by the mere look of a countenance. Your dog takes one glance at your face and

his emotional state is instantly framed in accordance with what he reads therein.

But of all things that thus affect us, none acts so strongly as the sight of blood and wounds in others. Take an average person round a surgical ward of a hospital to see the cases dressed, or perhaps a minor operation performed, he will emerge white and sick-looking with all the appearance of one who had come through a very grievous experience. Until trained to it, few can even witness a serious operation.

I once saw an omnibus run over a dog, which I then perceived in a convulsive struggle, its entrails protruding. I made a note subsequently of my own sensations. There was a severe shock somewhere near the stomach, a cold shudder, and an immediate sense of sickness, followed by a great weariness of the legs. After that time I made a practice of asking my friends what were their experiences under similar circumstances, and I obtained information from thirty-eight in all. Three of them described a most disagreeable shock in the bowels, followed after a time by diarrhœa; a fourth added to this a creeping shudder up the backbone. Five described the first sensation as a shock in the small of the back followed by stomach sickness. Three spoke of a shock in the calves of the legs, running thence up the body. Five told me of loss of power in the knees, as the first thing actually noticed; one of a shock in the arms, just above the elbow; one described a choking sensation, and six remembered nothing except a feeling of sickness in the stomach, which in severe cases would produce actual vomiting. Five described how the first sensation is a sharp shock in that part of the body corresponding to the place injured in the person or animal that has been hurt. Three spoke only of a strong tug at the heart with an almost uncontrollable impulse to scream. Two spoke of a general thrill of horror which makes it physically impossible to continue looking; one feels a fascination compelling him to look, while tremors of sickness well up, and a cold clammy sweat appears. Two described a sudden jump of all the muscles in the body followed by an uncontrollable quivering. Nearly all speak of severe cases as causing collapse, and all suffer more or less from trem-

bling, and whiteness of skin, for some time after witnessing such an accident. These are all bodily effects, capable of being blunted and modified by habit, but not of being controlled by the mind. A man may give a fortune for the purpose of erecting a hospital, yet be utterly unable to witness one of the surgical operations for which his own generosity has provided the means.

The sight of pain is, therefore, capable of producing strange nervous and vascular effects. So also in its own degree is the sight of pleasure. Does any one see the lambs frisking or the kittens at their frolic without experiencing some emotional change? Can you listen to the blithe notes of the woodland birds or hear the happy chatter of children tumbling about on a hay-rick without feeling at your heart a little flutter of pleasant emotion? Join a popular audience in witnessing a good melodrama. When the heroine is in her deepest distress and her sobs echo through the breathless theatre, you can hear the women gulp down their uncontrollable sorrow, and see the big tears roll down numberless cheeks. They know that the whole thing is a fiction, but the mind has nothing to do with the origin of the emotion. Certain sights and sounds have brought about a vascular condition to which sobs and tears are the natural sequence. But watch that audience when the villain is about to be exposed; see how the eyes brighten, how the cheeks redden, how the lips are parted. Virtue is triumphing, the hero clasps to his bosom his faithful sweetheart. After all their trials they are supremely happy. Their joy is contagious; pit and gallery are enraptured by an infection working through eye and ear. Victory gleams on every face; many are so excited that they start to their feet shouting and waving their handkerchiefs. If the curtain then goes down, and you watch these people defile through the doorways, you will read on their faces the bodily tone which was the basis of all that exuberant demonstrativeness.

The capacity to be thus moved, however, is very different in different natures. Just as some people are utterly indifferent to music which will make others almost swoon with emotional intensity, so there are men who can experience

pleasure in witnessing pain, and to whom the happiness of their fellows gives a positive dissatisfaction. But we apply the term sympathy to that general tendency which makes men grieve at the pains and rejoice in the pleasures of their fellows. Sympathy may therefore be regarded as the capacity of contagiousness in emotion.

On its physical side it implies a delicate nerve susceptibility to the signs of emotions in others, so that the sight of a man's deathbed agony is an inexpressible torture, the sight of a child's birthday happiness an exquisite pleasure. I have occupied a large part of this book in showing that this sympathetic capacity originated in the parental relationship. That a mother should find pleasure in promoting the pleasure of her offspring, and pain until she could relieve their pain, was only another aspect of that maternal care which we saw to be absolutely essential before the types of higher intelligence could make good their footing in a world of struggle and destruction. But when once the capacity had thus originated it was seen how greatly it must have been reinforced in proportion as it made itself felt also in the forms of conjugal sympathy, and, later on, of social sympathy.

My task is now completed so far as it seems possible for me to carry it. I have shown how probable it is that changes of vascular tone, when they affect our consciousness, give rise to emotions. These emotions are our chief if not our only motives to action. The more highly an animal is organised in its nervous type, the more susceptible is it to emotional stimuli arising from the expression of emotions in others. When the happiness that arises from the sight of happiness and the sorrow that arises from the sight of sorrow become chief among the motives that impel us to action, then, as I have shown, morality is in its natural or elementary stage; to its assistance there come the more complex developments of sympathy in the shape of duty, self-respect, idealism.

In addition to these primary emotions and their induced effects there are others which may be called secondary emotions. They are complex results of the action of intellectual perceptions on simpler emotional states. Thus, while the man stand-

ing upon a ten-inch ledge over a 500-feet precipice would feel a sense of fear, yet the same man on the same ledge but securely railed in would feel only awe as he gazed on the depth below. Awe is thus an emotion felt when the unaided stimulus of sense would suggest fear, but the judgment acts as a corrective. So also when the judgment informs us that the fear we feel is only fear of men's opinions it becomes modesty. Similarly, fear may be transmuted to reverence, while anger may be changed to indignation. So, too, the action of the judgment may give to the exalting emotions of the class of joy or triumph a new character such as pride, which is that feeling of joy which arises from comparison of one's self or one's possessions with other people or their belongings. Some of our emotions arise from what I shall call the causal instinct, that mental development which makes us believe in the existence of causes and find a pleasure in discovering them. In a chapter, now omitted, I had traced the growth of that instinct through birds and mammals. Drop unseen a few pebbles on the head of a marsupial; he shakes his ears and quietly goes on feeding. A horse under the same circumstances soon passes into terror, but a dog will look up, rise, inquire all round, go off to seek the cause, and exhibit great satisfaction when he finds it. In monkeys, and still more in men, this instinct becomes a powerful influence. It gives rise to the emotional condition which we call curiosity. That this has a vascular basis is seen in the brightened eye, the quickened pulse and invigorated brain and muscles. Sudden stimulation of this causal instinct gives rise to the emotion of surprise. Sustained surprise we call wonder. Mixed with pleasant feelings wonder becomes admiration; with unpleasant, contempt or disdain. But a general analysis of secondary emotions would be beyond my scope.

Nature of the Moral Instinct.

All these, and a score of other secondary emotions, have their part to play in morality. The awe and reverence felt for a law-giver, the disapprobation or contempt of that which is base, the pride which one properly feels in being of fair

repute among men, those emotional states that are bound up in the love of the beautiful, in the sense of the heroic, and all other such complex interplay of emotion and judgment, have their share in the composition of that still more complicated emotional effect which we call morality.

The intellect has its own subordinate part to play in morality. It may compare together emotional states and weigh their prospective results. The man filled with anger against his disobedient son, yet sensible of the emotion of paternal tenderness, may deliberate and give to his judgment some share in the decision. But in the main the effect will be the result of his emotional capacities. If he is easily roused to anger, he will gratify his resentment; if he be naturally tender-hearted, pitiful, and affectionate, he will forgive.

Amid the conflicting play of emotions, there has grown up in social animals an instinct which on the whole gives the preference to those emotions that are beneficial to the community. Instinctively we endeavour to suppress our anger and its manifestations; instinctively we encourage our conjugal love, our patriotism and our philanthropy. And these preferences arise, not from any free-will of our own, but from our inherited natures. For in the stress of competition there has always been, as we have seen, a certain tendency for the sympathetic strains to survive; and not only will the survivors exhibit an increasing instinct of suppressing the hurtful and encouraging the beneficial emotions in themselves, but by their applause and blame they will act upon the sympathies of those around them so as to increase in them also the same instinctive feeling. The triumph of the moral instinct appears whenever the selfish emotion thus gives way before the sympathetic, that is, whenever the emotion which makes for self-preservation gives way before other emotions which are subservient to the good of the race.

The moral instinct, therefore, is, in social animals, the result of that selective process among the emotions which tends to encourage those that are mutually helpful, and to weaken those that are mutually harmful.

The primary emotions were all developed for the pre-

servation of the individual; the induced or sympathetic emotions were developed so that each individual might contribute his share to the preservation of the herd or community. These two sets are bound to be in frequent opposition, and it is the duty of practical ethics to determine a reasonable compromise between them. My sympathetic emotions may tempt me to empty out all my money into the hands of suffering men and women. My primary emotions bid me keep some for myself. It is for practical ethics to determine how much I may give and how much I may keep.

Thus the moral instinct is not necessarily that which impels us to act rightly. Is it ever right to be angry? A certain moral instinct forbids us this feeling, yet often enough anger is right. Has it been right for the white man to take possession of the black man's forests in Australia? A certain moral instinct condemns the policy and yet it was demonstrably right. When Buddha renounced his wife, his child, and all kindred, to become a hermit and work out the redemption of mankind, his action was distinctly wrong, but it had its origin in a moral instinct. If all men did as he, the world would be worse, not better; but he acted with the wish to make it better.

The moral instinct is, therefore, that which in social life opposes and checks the operation of the self-preserving instincts of individuals in so far as these are likely to injure the community. Such suppression may be right or it may be wrong; but almost always the due ethical course is one of compromise between the two instincts. The nation which dealt with other nations on purely sympathetic grounds would be cheated and bullied out of existence. The nation which tried to deal with others on purely selfish grounds, to take all and give nothing, would soon rouse the world about its ears, and be swept out of existence.

Multitudes of clergy would be glad to do all the good they could in their parishes with no talk of stipends; many a poet has been fired merely by the hope of adding a new charm and grace to human life, and would have wished that the question of a living for himself and his family had never obtruded itself. But the purely moral or sympathetic view

is neither practicable nor right. In law, in politics, in commerce, in daily intercourse, men find only by experience that compromise between the moral instinct and the self-preserving instinct which is the wisest for all interests. In thus using the word "moral" where it is now customary to say "altruistic" I am conscious of reverting to early usage of our language. But altruism does not express exactly what I mean. It implies a conscious, sometimes even a priggish effort for the happiness of others: whereas by the moral instinct I mean only that unconscious bias which is growing up in human minds in favour of those among our emotions that are conducive to social happiness.

The moral instinct bids us shrink from causing the death of a human being. The self-preserving instinct bids us kill when killing is needful. Where is the just mean to be found? The moral instinct bids me suffer silently under wrongs, turn the left cheek to him who smote the right, give the blankets from off my own bed to him who is perishing of cold; yield up the sweetheart whom I passionately love and might probably win, if it appear that in winning her I may break the heart of another suitor. All these, and thousands of other dictates of a delicate moral nature, I may not do because I am a creature of individual instincts as well as of social instincts; and right conduct consists in a reasonable compromise between their conflicting demands.

But in the present stage of development the moral instincts are always regarded as the nobler and more admirable of the two. This is very natural and very wise. The self-preserving instincts with their primary emotions are of very ancient date; they are the most fundamentally necessary. They are, therefore, of commanding strength. The moral instinct, that which rises out of the induced or sympathetic emotions, is later in date, and is only struggling up into a position of equal strength. It is very far from being fully developed; it requires all possible adventitious aids to enable it to cope with its older and more perfectly developed opponent. There is, therefore, every reason why mankind, by the assistance of admiration and applause, should encourage the feebler of the two. The other is amply strong

enough to take care of itself; only in comparatively rare instances do men fail to look after their own interests to a reasonable extent. More frequently, very much more frequently, does it occur that they have their eyes so grimly fixed on their own interests as to forget the existence of other people's. Hence the justification for that partiality so generally shown to the moral instinct, though it is not really more essential than the other, if indeed it be equally essential.

But, eventually, this artificial encouragement will be less and less needed. Every century, by its natural process of elimination, makes the sympathetic emotions more and more of a match for those that are exclusively self-preserving. When they are evenly balanced, when each man shall consider the claims of others as much as and no more than his own, then will there be found, without laws or any other external means of compulsory compromise, a duly blended instinct of selfish and of moral impulses which shall impel with automatic precision to that which is right.

NOTE.—Since these two chapters were written I have become acquainted with the writing of Professor James, who maintains the general theory that the bodily state is the cause and not the effect of an emotion.

During the last five years this view has been rapidly coming to the front among psychologists, by reason of the work done by Lange in Denmark, Münsterberg in Germany and Ribot in France. But for various reasons I have kept without any alteration to my own treatment of this theory. It travels to the same general conclusion along a different yet wholly consistent route.

CHAPTER XXIV.

RIGHT AND WRONG.

At the outset I proposed to confine the scope of this inquiry wholly to the biologic period of the world's history, and to the life-necessities of its animated nature. I purposed to refrain from the attempt, which is in its essence hopeless, to affiliate the morality thus produced with principles and rules of existence that might presumably apply to all other worlds and prevail with equal force throughout a whole universe. Nevertheless, before taking my leave of the subject, I shall allow myself a little final latitude in explaining what I conceive to be the relations between our human morality and the things which exist beyond the limits of our world.

For the mind of man cannot contentedly leave off an inquiry absolutely at an arbitrary mark. It cannot follow a clue that leads some way but reaches no final point, and have no wish to know or guess or dimly imagine what may lie beyond. The story of ethic evolution told in these pages, could it have been all unfolded in every detail, would yet have been only a minnow's gulp from the waters of a Pacific. Nay, infinitely less in proportion. There must have been a huge before, and there will certainly be a mighty hereafter; and, though we sometimes may chide our minds that will insist upon travelling out in both directions into inscrutable darkness, yet who can bid his nature be fundamentally other than it is?

Our story begins with some reasonable degree of certainty where the self-preserving emotions alone have sway; what preceded these, how life made its first appearance, men may yet partly discover; but there will never be any remote con-

ception of that antecedent vastness so utterly inconceivable. Our story has so far ended with men in that imperfect degree of kindliness and goodness which we now see in the best of them. But we yield sometimes of necessity to the fascination of forecasting the future, and imagining how a kindness, to us unknown, will yet prevail; how peace and conjugal fidelity and utter truthfulness may in a dim futurity enfold serenely the whole nature of man. And then what? We peer into the long twilight and far beyond it, speculating as to the prospects enshrouded therein.

It is folly to hope to see them. How can we see where there is no light wherewith to see? On every hand our microscopic sphere is bounded sharply and inexorably by the inconceivable. If we think back into that premundane past over the myriad millions of years, do we reach at last the barrier beyond which time had no existence? It is inconceivable. Yet choose the other alternative. Has that bygone time rolled on so that if we went back as many million years as there are seconds in a million years; and then as many millions more as there are seconds in that awful time; so that though we cast backwards these stupendous cycles of more and more solemn vastness, yet we never in the least approach a beginning, or in truth travel back at all, seeing that there never was beginning? It is inconceivable to our minds, which, cradled in the finite and sprung from the play of needs and influences that all begin in time and end in time, can no more grapple with such a question than a frog with the lunar theory. The problem and our powers are wholly incommensurable quantities.

So of the gulf that stretches in the future. Will it reach the barrier after which there will be no more time? Most utterly inconceivable. Yet, on the other hand, will it run forward for ever, spinning and weaving its stupendous cycles, of which each is nothing—nothing at all—for it carries us no whit nearer the ending? It is all to us inconceivable. Backward, forward, time seems to lead only to a choice of alternatives of which either one or other seems necessary, yet each is inadmissible so far as we can comprehend.

So, too, this material universe loses itself at all the mighty

bounds of the spherical limits of our knowledge. If we shot upwards from our earth at ten times greater speed than ever was known in rush of train or flight of bird flying at the mad velocity of 1000 miles an hour, ten years must pass ere we should flit beyond our sun; a century of that terrible speed would not carry us out of our own petty little solar system, that insignificant eddy in the ocean of the stars. Beyond that, we should speed for 2,000,000 years through the awful wastes of silence ere we should meet our nearest neighbour in space, the first of the stars of Centaur, that bright pointer of the Southern Cross. Two millions of years! A stupendous time, older by far than human race, perhaps older than all the long development of mammals on our earth. Yet such a length of time, even at that mad pace, would scarcely bring us to our nearest known neighbour. How the years of flight would roll in billions and multitudes of billions ere we should reach the last of the stars whose light attains our telescopes! But beyond these, what? If we could proceed through these depths of space as many more billions of years as there were seconds in the previous inconceivable time, should we reach at length the barrier beyond which space is not? It is absolutely inconceivable. Yet view the alternative, that all this vast space is merely nothing; that universe after universe of that appalling size succeeds and still succeeds, so that if our flight were 1,000,000 miles a second, and we sped for countless billions of years, we should still pass through fresh realms and labyrinths of yet unseen stars, and no end should ever be to worlds and constellations! It is inconceivable. A termination of space, space without termination, both are equally inconceivable ideas.

We need not travel so far away to find our knowledge rounded up by mutually incompatible inconceivables. What is matter? It is that whose minute portions, known by inference and called atoms, are able by the energy of their motions to make some sort of impingement on our senses. But of what are these atoms composed? If of matter, then we have not reached the real atom. But if we go on dividing, shall we at length come to something that is not matter? It is inconceivable that the atoms should themselves be matter;

yet what can those things be that move and strike with sharp momentum, yet are not matter? They are to us inconceivable. For indeed what we *can* conceive is nothing but combinations of sense-impingements. The capacity to perceive these, and combine them, grew up solely to meet the daily needs of life in a material world. Our powers are strictly limited thereby, and in vain do we dream of travelling further than our senses or sense-imaginings will carry us.

So, too, of our own natures, our knowledge is equally rounded up by inconceivables. Is the nerve tremor which runs from eye to brain and causes a certain movement in a certain cell—is that the consciousness of sight? It is inconceivable. Time and the ingenuity of man may do much, but we may rest assured that they will never bridge that gulf.

Yet is the other alternative equally inconceivable, that in a man's brain there dwells an immaterial entity which is the conscious subject. When does such a thing enter the body? From the minutest germ in the ovary to the infant at birth, no sudden transition takes place; there is no time at which the embryo is without what we call its soul; born at seven months or at nine, it is the same sort of creature with the same developing capacity of consciousness. And if the babe has it, then the puppy has it also, for consciousness is equally its gift; and if the puppy, then the young fish, and if the young fish, then the countless swarms of insects. All possess that consciousness which would imply a spiritual essence. Is it true, then, that at some stage in its development every maggot is endued with its own share of some immaterial entity analogous to soul? Whence does it come? Whither does it go? When a few hundreds of these creatures enter the maw of some hungry bird, does she digest so much consciousness? It is all inconceivable.

So on every hand are we baffled when we try to apply our powers to the solution of problems for which they were never made; as if one should use a razor to cut chilled steel, or a microscope to view the stars. In all such speculations we are using our intelligence, sense-created and sense-sustained as it is, for the consideration of things that are remote from the operation of these senses of ours with which, for the needs of

terrestrial life, we are endowed. It is true that the same eyes which have grown quick to see the prey or avoid the danger may also see the light from far-off stars. It is true that we may weigh a moon by ingenious combinations of sense-measurements. These things are strictly commensurate with our powers, and men have yet stores of triumphs of that sort for their future gratification. But the wider problems of space and time, of matter and consciousness, and so forth, are incapable of solution by intelligence made for action in a wholly different province.

Even so far beyond the scope of our attack is the problem of the soul of the universe. Is this wide framework of suns and systems self-begotten and self-regulated? Or has it persisted from an infinite past? Will it go on spinning out its endless yet aimless circles to all eternity? And when the last man shall have perished from off this chilling globe, will other men appear on other globes, filling a space of time with their transitory fears, and hopes, and loves, working up through equally painful æons of lust, brutality, and endeavour, so as to approach perfection, but only to be swept likewise into that gulf of nothingness that has swallowed their numberless predecessors? Will they in tiny patches here and there through all the intricately whirling systems spring up and pass away, each unwitting of all others? Will sphere after sphere adorn itself with beauty, fill itself with life and fond affections, to pass away and none in all the universe be conscious that such things were? It is all inconceivable.

Yet, on the other hand, what? If the universe has had its maker, who made that maker? Or is the maker without beginning and without end? It may be so, but to the mind of man such a being is inconceivable. Not therefore non-existent, but as much outside the scope of our comprehension as is the end of space or the beginning of time. And if this being, creator and sustainer, exists, what is meant by asserting that he knows, or sees, or hears? What possible idea can there be in talking of hearing without ears, seeing without eyes, and knowing without a brain? With us, knowing is the result of learning, but how could a spirit that made all things learn

anything? All our conceptions of knowledge, comprehension, or thought are absolutely inapplicable to a being that has never grown up in the midst of sense affections, and whose powers are not nurtured by sense experiences.

But we believe that space exists, that time exists, that matter exists, that consciousness exists, though of each the actual nature is not only unknown, but utterly incomprehensible to us. So, too, though less cogently, as being more remote from sense intimations, we may believe that one all-explaining existence underlies the universe, in essence inconceivable, yet not less real than these other inconceivables, space and time, matter and consciousness.

For we move in a world known only to us in symbols. The colours are not in the flowers, but only in our minds; that crimson light which comes from the rose is only ether-vibrations of comparatively large wave-length. But ether itself and its vibrations are conceivable to us only as sight or touch sensations can make them known. It is an old truth now-a-days that we have no conception of colours or sounds or indeed aught else in itself, but only of the change in our consciousness caused, as we presume, by things outside us. Spinoza said two centuries ago, "The ideas we have of external things proclaim rather the constitution of our own bodies than the nature of external bodies". (*Ethics*, ii., 16.) Locke wrought upon the same elementary idea, which physics and physiology have now between them placed on a basis so unassailable. What we think the world around us to be is only the symbolic interpretation of our own consciousness. As the deaf man never knows the spoken word, but only the visual symbol that stands for it; as the blind man never knows what a cloud looks like, though he may daily use the spoken word that is its symbol, so we too use our conscious symbols of colour and sound, of touch and taste and smell, without the slightest possibility of ever knowing the things in themselves.

And yet the man who reaches this ultimate conclusion is wise if he never suffers it to affect his daily outlook over the world. If it should so happen, if he should permanently and at every moment feel as if

> Seeming to move among a world of ghosts,
> Feeling himself the shadow of a dream,

his mental condition would grow morbid. He would be deprived of all that healthful animal life which is the absolute foundation of successful existence in this world. The introspective and persistently questioning Hamlets make on the whole poor citizens.

Thus, though the healthful man may feel that the view he enjoys from the summit of the hill is in so far illusory that all he can know of it is a certain co-operation of sense stimuli acting upon his own consciousness, yet he will gaze with delight upon it none the less. He will frankly and unreservedly enjoy the descants of the woodland birds, though he cannot for the life of him tell why one succession of vibratory movements in the air should ravish his soul more than another. Freely and cheerfully to accept the conditions of his nature and receive as truth the import of his senses, is the only wise condition of the healthful man.

And all that is true of the intellectual side of our nature applies with equal force to the emotional. A man may know how foolish it is to shudder at the cold scaly folds of the serpent, while he grows pleased with the affectionate fondling of a kindly dog. Why should he hate the one and love the other? Each works out its own nature; it cannot be other than it is; and the serpent is no more deadly to men than a dog is to rabbits. But inasmuch as he is a man, he hates serpents and he likes dogs. He hates a cannibal, yet to his wife he passes a slice of mutton. At bottom the difference, as he may perceive, is one of mere sentiment. As an absolute cosmic fact it is difficult to see how one can be so purely innocent if the other is so hatefully cruel. But then it is not his business to work among absolute cosmic facts. He does much better to love his wife, though a little meat be useful for her health, and to abhor the cannibal, though he knows that savages must needs act as their traditions and customs have taught them.

Our emotions make for us, as much as our sensations, the universe in which we live. How the earth shines to the accepted lover! How black as deepest midnight to him when

suddenly jilted! How sweet is life to the young mother as she gathers in both hands the rosy cheeks of her infant, and stoops to kiss its puckered lips! How bitter, how hateful, when she casts herself to sob upon its new-made grave! Yet they are still the same old world, the same old life.

A gaol is one place to a man when he goes to see it as a curious visitor, another when he hears the gates close behind him on a ten years' sentence. The twenty-mile march of the soldier moving hopefully on to victory is an utterly different stretch when later on he wearily traverses it in disastrous retreat. How different seems the home of his early childhood to the man who returns to it after sixty years!

So on all hands, sensations and emotions build up for us the symbols which are all we know of this universe we dwell in. Even so, our conceptions of right and wrong are thus constructed for us by that class of contagious emotions which we call our sympathies. Now these have grown up, as we have seen, solely out of social needs. The social animal was the successful animal, and man himself prevailed more and more in proportion as he became increasingly social; that is, more capable of a delicate sympathy. Thus, on an ultimate analysis, right and wrong are not things that we can justly predicate beyond the bounds of human nature. We can scarce apply them at all in the case of the lowest animals; nor could we apply them in the case of angelic beings who should have no need to propagate by sexual union, who should be incapable of being killed, or hurt, or deceived.

But we are bound by the necessities of our nature to project our subjective feelings out from ourselves, and make of them the objective universe in which we dwell. That green colour which is only in our consciousness we stubbornly see in the trees and grass around us. That rippling music which has no existence till its vibrations pass into our brains we persist in hearing as though in the cheerful brooklet. So in regard to moral feelings. Though actions are neither good nor bad in themselves, but only begin to be so in our conception of their relations to social needs, yet these conceptions of ours are projected into them as we project our sensations of red into the rose, and of discord into the process of saw-sharpening.

If a man and woman are to propagate their race, it makes no sort of inherent difference in the act whether or not they have first made certain promises and transferred a ring. But in our conceptions of the act, and its relation to the interests of society, there is a world of difference; and we project these conceptions of ours into the act itself, just as we project into the sugar that sweetness which exists nowhere but in our own consciousness.

There are those who would condemn all such reliance upon emotional feeling, and make it their first principle to trust only in their intellects, forgetting that the world built up for us by intellect is in every way as illusory as that built up for us by our emotions. Why, one will ask, should a man love the country he happens to have been born in better than another country? Why should he love his own children more than the children of his neighbour? His country is much the same in itself as other countries; his children are, as a matter of bare fact, much the same as other children. But then, we reply, they are not so to him. He looks upon them with an emotional nature, and he projects into them the contents of his own emotional consciousness. He has the same reason for believing them to be different that he has for finding honey sweet and vinegar sour; for he feels that they differently affect his consciousness. The man who condemns the illusions of the emotions because he has tried them by the test of intelligence and found them to fail, most certainly forgets that that intelligence itself, if similarly tested in its turn, would prove to be equally illusive.

But just as in a healthful relationship with the world around us, we must accept our intellectual instincts as genuine, must dwell amid space and time, colour and sound, taste and touch, as if these were things existing outside of us as we conceive them to be in our minds, so must we accept our emotional intuitions as equally valid. We are at liberty to love our wives, revel in the first affectionate syllables of our babes, cheer lustily at the name of fatherland, though cold analysis explains that wife and babe and fatherland are like other wives, other babes, other fatherlands.

So also, on an ultimate analysis, we may conclude with

Spinoza (*Ethics*, iv., definition i.) that "good is that which we know for certain to be useful". But this is only that form which is assumed by the truth when we strip it to its physical and physiological bareness; professing, though wrongly professing, to get to the root of things. As a matter of simple fact, goodness as we perceive it, is an utterly different conception; and, as it appeals to our consciousness, so must it seem to us to be in fact. In London the Laplander might say, "What a warm day it is!" the Hindoo, "How miserably cold!" Each statement is true relatively to the nerves of the speaker, and none but a fool could think of inquiring for the absolute fact as to whether it was really warm or cold. Each man projects his own sensations out into the weather, and denominates it accordingly. And the wisest of men can do no more. It may be a useful thing once in a while to remember that there is no such thing as a sky above us, that the blue we see is due only to the superior power of penetration belonging to the quicker ethereal vibrations, but for all the practical purposes of life there is a sky above us; and as we see it, so do we feel it and speak of it. The philosopher might at the dinner-table make himself a bore by incessantly explaining how none of the dishes had really the tastes which the guests perceived in them, nor any of the decorative flowers the colours wherewith they seemed to be endowed. People with a hearty appetite and a love for flowers will go on enjoying savours, flavours, scents and tints; the illusoriness of all things is a fact with which we are only remotely and seldom concerned; we go on living our lives in a healthy satisfaction that the things about us are in very fact what we conceive them to be.

Even so real, therefore, as aught else we know, are those conceptions of right and wrong which we project from our minds up into the universe of space to be therein perceived as solemn and immutable principles. What is a murderer? In himself only a being who has acted out inevitably the nature wherewith he was born. But we are very little concerned with what things are in themselves. To us he is a being whose touch or aspect would cause us an involuntary shudder;

and for all practical purposes the latter is the real, the former the fantastic view.

When we sit enraptured by a symphony, what though the mathematician insists with some sort of truth on his side, that there is nothing there but air vibrations of duly fitted proportions in speed, strength, and duration! He has still to explain to us what air or any other matter may be and what the actual nature of a vibration is. He can get no way near the heart of any objective truth. As for us we may say: "The composer has created a delightful succession of harmonies; these to us are no wave vibrations, they are soul-felt music".

So when we read the story of some devoted martyr of old, who suffered and died for his lofty ideal of right or duty, a cold analysis, such as fills the major part of this book, will tell us that certain nerve-developments were in his case subtle and delicate. He, too, acted out a nature which he neither made nor mended. We are entitled to reply that such a view is useful once in a way, but cannot be our permanent or practical belief. We do not know what any man in himself may be, nor do we know the essential nature of his acts or his motives. What we do actually know is our own mental state produced by certain stimuli proceeding in indirect channels from that man and his act. Now in that mental state we find indissolubly connected with our idea of the act, the emotions of admiration and enthusiasm. These are as real, and have as tangible an existence as our sensations, actual or remembered, of the man and his action.

In short, all our emotional intuitions have precisely the same ground of validity as our intellectual; none at all if supposed to represent external things as they actually exist in themselves; yet worthy of all reliance as being an integral and essential part of that consciousness which somehow depends on external things, and forms for us our only possible conception of what these things may be.

That sense of space which we and our ancestors have derived first from the use of our arm-muscles, then from the use of our muscles of locomotion, lastly by correlating with these the focussing muscles of our eye, is projected by us out into starry space. We have no misgivings in applying our

sense of sight to the measurement of stellar distances. Perhaps all an illusion. But if so, it is an illusion in harmony with all other illusions, and an addition to the sum total of the only sort of knowledge attainable by us.

So, also, we project out from us our emotional feelings. If we have learnt to scorn a base action, we feel that the same attitude must characterise the right mind wherever it is found throughout the universe. Perhaps an illusion! But subjectively to us it is the only possible truth. It is therefore that we can have no reason whatever to quarrel with that sense of ineffable comfort which human hearts derive from a feeling of union with and dependence upon some universal power subsisting at the centre of all things. A knowledge of what that power may be in its actual essence is as much denied us as is a knowledge of anything else in its true self.

We have an intuition that there must be something in the nature of matter which can affect us with sensations of sight and touch and taste. We have an intuition that there must be something in the nature of consciousness within us to be so affected. And if we have an intuition that there must be a power in the universe to account for worlds and motions, for ourselves and all things, that intuition, as it seems to me, is of the same order of cogency. Each is an intuition of causation; not one of them is capable of the faintest demonstration, because the matters dealt with are in all three cases equally beyond the bounds of our faculties.

Moreover, to this all-explaining influence, man, by a healthful impulse, attributes the best qualities of which he can form a conception. Of course they bear no possible relationship to the truth, any more than our sensation of warmth does to the dance of atoms which is heat. But, as in the case of all other knowledge, it is our subjective conception of an objective truth which we cannot really know. The best of men, though conscious that he would willingly lay down his life in the cause of honesty, must needs feel that he is by no means the most honest of possible beings. The probability is infinite indeed that better than he somewhere exists, if not in this world, at any rate in some one or other of the multitudinous worlds that make the atoms of an ocean of space. If such

exist, he must, according to our instincts, be accounted for in that all-explaining principle.

A healthful moral nature is, therefore, vaguely impelled to project its own highest ideals out into its conception of that principle. Therein it sees justice, truth and kindness; though on a cold analysis it could give no valid description of what these could possibly mean in an omnipresent and incorporeal being, and indeed knows that an infinite being must be incapable of emotions. For every emotion, as I have striven to show, has its basis in vascular changes, and has arisen only for the preservation of animals. But he who objects to this projection of our moral feelings out into the realms of space must object to all our knowledge which is everywhere of the same symbolic nature.

Thus, in our daily lives, right and wrong must seem externally existent principles. We have seen how the conceptions grew; we know that they have yet to grow. Similarly we may trace the growth of the sense of sight; we know it is yet increasing in delicacy. That does not make us grow sceptical as to the real existence of green trees and white clouds. Neither will it shake our practical belief in the existence of external standards of right and wrong though it be proven that a moral sense has grown within us, as eyes have developed in our heads. However the feeling may have grown, brutal lust will still seem in itself foul and hateful; cold-blooded murder will be abhorrent; meanness, lying, treachery, will be in their essential natures ugly things. On the other hand, we will look forth on a universe urged onward to nobler things under guidance of that Panenergic Principle, to which we shall still ascribe the highest ideal our conceptions shall have reached.

Nor does this somewhat cold comfort form the limit of what is reasonable. If it be true that the conception of the universe formed for us by our emotions is in its own way as faithful as that formed by our intellectual perceptions, then we may go much further. The child left to fall asleep by itself in the great lonely, rambling mansion hears strange sounds in the long corridors; with beating heart and choking sobs it hides its face away from the darkness. What though

some one come and reason that there is no danger! But if only the mother goes to sit in silence by the bedside; if the child can but grasp her by the hand; if he can only nestle his cheek on the pillow in a fold of her loving arm, all fears and sobs are forgotten. Little does the child care though the mother be slender and weak against possible danger. Its heart is satisfied, and all things seem secure amid that restful emotion.

Poor feeble race of man, here inhabiting your chamber, remote and lonely in the awful realms of twilight space! What eerie voids lie between you and your nearest neighbours! And these neighbours, what utter strangers to you they are! Down those vast interstellar corridors, how chill, how remote, how cheerless, how mysterious, all extends! If your heart conceives a satisfaction in a soul of sympathy, ever watchful, ever kind, who shall chide you for being symbolic in that as in all else you know? If you yearn for loving touch; if faint and far you seem to hear the whisper of a friendly voice, to you it is as real as the mother's protection to the child. And if there comes to you the man who scorns your emotional intuitions, priding himself that his beliefs are everywhere founded on the solid rock of intellect, tell him that your conceptions come as near the basis of philosophic truth as ever his can come.

It is true no doubt that each must live after his kind—the fish to the water, the bird to the air, the beast to the land. None can overstep the limits of his nature. And the man with little emotional capacity will dwell in that universe which sensations, and conceptions formed of combined sensations, alone can furnish him: the man of emotional temperament will find his heart ever feeling outward for love and communion, as the child's fingers in the darkness feel outward for the mother's hand. So does the empty vastness become for him no more the weary waste of desolation. Illusion perhaps! So also are the trees and the rocks.

Thither also he projects his moral sense, and sees therein the source of all that is right and pure. If he cultivate the philosophic mind, he will at times recall the fact that this is but symbolic; that he frames his conception of a universe

utterly incommensurate with his powers, out of the mental and moral growths that have sprung from and for these small earth-limited needs. It is all too true! But the solid earth we tread is, in so far as we conceive it, only a collection of sense-symbols whose truth must be some utterly unknown play of inconceivable atoms that are a sort of disembodied energy. So, when he feels with Shelley that in the firmament

> The One remains, the many change and pass,

he may not, he cannot, know in the remotest degree the nature of that One, yet is he wise to lose not a jot of his practical faith in the solid earth beneath him or the comfort of the Pantachontic around him. His eye, or the consciousness behind it, clothes the one with all glories of verdure and sunset glow, thereto transforming mere ether-waves; so does the moral zeal of his consciousness clothe the power which he conceives to live and move in all things with its own uttermost conceptions of good.

In short, though we have in this book traced from its humble origin the growth of our conception of right and wrong; though we have found it to be entirely relative to ourselves, our needs, and our capacities; though we have seen it to be in every respect earth-born, we are nevertheless not in the least degree precluded from utilising the ideas thus derived to help us in framing for ourselves our worthiest symbolic conception of the universe. All our other ideas are so derived, all are equally unreal as the statement of ultimate fact, all equally real as being our best attainable symbols for things we know to be really existent. Thus are we justified in projecting out from us into starry space our best conceptions of moral beauty, and seeing them there as enduring principles with an objective existence. In that flitting dream which we call our life—in that long presentment of appearances rarely felt to be only appearances, because so seldom capable of being tested, and never capable of being set alongside of the truth—among all the phantasms which the healthy mind frankly accepts as facts, because of the invisible facts which they symbolise, we must number not only our con-

cepts of matter and of consciousness, but those of goodness and of wickedness as actually existent verities. So when our mood of sceptic sorrow is passed away because phenomena are not realities, we return to the hearty, practical, common-sense view of mankind; true, moreover, as far as aught we know is true; and we assert as unconditional principles our canons of the right and of the wrong as Goethe did,

> In name of him, who still, though often named,
> Remains in essence, ever unproclaimed.

Right and wrong dwell out in the everlasting heavens, even as beauty dwells in a graceful woman, as coolness dwells in the clear spring water, as glorious colour dwells in the tropic sunset, as vastness dwells in the ocean—things not so in themselves, but ever and inherently so to our natures.

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